

Title 14 - HIGHWAYS, SIDEWALKS AND PUBLIC PLACES

Chapters:

Chapter 14.04 - DEFINITIONS

Sections:

14.04.010 - Class B roads.

"Class B roads" means the same as county road, defined in this chapter.

(1986 Recodification: prior code 10-1-1(1))

14.04.020 - Construction.

"Construction" means the construction, reconstruction, replacement and improvement of the public highways, including the acquisition of rights-of-way and material sites.

(1986 Recodification: prior code 10-1-1(2))

14.04.030 - County roads.

"County roads" means and includes all public roads and streets within the county, not designated as state highways, that are situated outside of incorporated cities and towns, and the roads and streets situated within incorporated cities and towns within the county that have been designated as county roads.

(1986 Recodification: prior code 10-1-1(3))

14.04.040 - Curblines.

"Curblines" means a line on either side of the center of a highway ten feet inside the right-of-way line and running parallel to the right-of-way line. Any individual exceptions to this definition must be approved by the county.

(Ord. 1473 (part), 2001: 1986 Recodification: prior code 10-1-1(4))

14.04.050 - Engineering division.

"Engineering division" means the engineering division of the county public works department.

(Ord. 1473 (part), 2001)

14.04.060 - Fenceline.

"Fenceline" means a line on either side of the center of a highway coterminous with the outside boundary or limits of the highway.

(Ord. 1473 (part), 2001: 1986 Recodification: prior code 10-1-1(5))

14.04.070 - Highway authorities.

"Highway authorities" means the Utah Department of Transportation or the legislative, executive or governing body of a county, city or town.

(Ord. 1473 (part), 2001: 1986 Recodification: prior code 10-1-1(6))

14.04.080 - Limited-access facility.

"Limited-access facility" means a highway, road or street especially designed for through traffic and over, from or to which neither owners nor occupants of abutting lands, nor other persons, have any right to easement, or have only a limited right or easement of access, light, air or view.

(1986 Recodification: prior code 10-1-1(8))

14.04.090 - Maintenance.

"Maintenance" means the performance of all things necessary to keep a public highway in serviceable condition.

(1986 Recodification: prior code 10-1-1(9))

14.04.100 - Mayor.

"Mayor" means Salt Lake County mayor or designee.

(Ord. 1473 (part), 2001)

14.04.110 - Operations division.

"Operations division" means the operations division of the public works department.

(Ord. 1473 (part), 2001)

14.04.120 - Public highway.

"Public highway" or "highway" means any road, street, lane, court, place, viaduct, tunnel, culvert, bridge, alley, or other public way situated within this county laid out or erected as such by the public, or dedicated, abandoned or open to the public, or made such in any action for the partition of real property, or such other public property so designated by any ordinance or statute, and includes the entire area within the right-of-way.

(Ord. 1473 (part), 2001: 1986 Recodification: prior code 10-1-1(11))

14.04.130 - Right-of-way.

"Right-of-way" means land, property or an interest therein, usually in a strip, acquired for or devoted to use as a public highway.

(Ord. 1473 (part), 2001: 1986 Recodification: prior code 10-1-1(12))

14.04.140 - Section.

"Section" means a section of this chapter unless some other section is specifically mentioned.

(Ord. 1473 (part), 2001: 1986 Recodification: prior code 10-1-1(13))

14.04.150 - Sidewalk.

"Sidewalk" means that area between the curblines and the fencelines on either side of a highway.

(Ord. 1473 (part), 2001: 1986 Recodification: prior code 10-1-1(14))

Chapter 14.08 - COUNTY HIGHWAYS

Sections:

14.08.010 - Jurisdiction and control.

- A. All highways, roads, paths and ways within the county not designated as federal, state, city or special highways, roads, paths or ways shall be under the direction and authority of the county. Such roads shall be constructed and maintained by or under the authority of the county mayor from funds made available for that purpose by the county council, and the county mayor shall have the authority to expend or by contract cause to be expended funds allocated to the county from the state transportation fund under rules mutually adopted by the county council and the Utah Department of Transportation. The amount used annually from the state transportation fund for this purpose, together with amounts from other sources as may be made available shall constitute the funds to be spent in constructing and maintaining Class B roads within the county.
- B. When, in the opinion of the county council, the funds available for road purposes from sources other than the levy made against tangible property are adequate to properly construct and maintain the Class B roads, the county may cease making a levy for county road purposes, or, at its option, may use any portion of the Class B road funds provided by Title 72 of the Utah Code, for the construction and maintenance of Class A state roads by cooperative agreement with the Utah Department of Transportation.

(Ord. 1473 (part), 2001: Prior code 10-2-1)

14.08.020 - Reserved.

Editor's note— Ord. No. 1818, § VIII, adopted September 12, 2017, repealed § 14.08.020, which pertained to gifts, bequests and donations to county, and derived from the prior code 10-2-2.

14.08.030 - Contribution of property by county.

The county is authorized to contribute real or personal property to the Utah Department of Transportation for state highway purposes.

(Ord. 1473 (part), 2001: Prior code 10-2-3)

14.08.040 - Roads within national forests—Cooperation with federal government.

The county is authorized and empowered to enter into agreements with the appropriate federal agency for the use of federal funds to construct, improve or maintain roads, other than state highways, within or partly within national forests; provided, that the share of the county in the cost of such cooperative road project shall be paid from county road funds; provided further, that donations may be accepted in lieu of appropriations from county road funds.

(Prior code 10-2-4)

14.08.050 - Determination of width of right-of-way.

The public works department may, subject to approval by the mayor, determine the permissible width of rights-of-way for public highways in the county.

(Ord. 1473 (part), 2001: Prior code 10-2-6)

14.08.060 - Preparation and storage of plats and descriptions.

It shall be the duty of the mayor to provide for the preparation and storage of current plats and descriptions of all county roads and of such other highways as the county may from time to time locate upon public lands within the county. The plats and descriptions shall be kept on file in the office of the county recorder.

(Ord. 1473 (part), 2001: Prior code 10-2-5)

14.08.070 - Agreements with political subdivisions and federal government.

The county is authorized to enter into agreements with other highway authorities or with the federal government, respecting the financing, planning, establishment, improvement, maintenance, use, regulation or vacation of limited-access facilities or other public ways in their respective jurisdictions, to facilitate the purposes of this chapter.

(Ord. 1473 (part), 2001: Prior code 10-2-11)

14.08.080 - Acquisition of property for limited-access facilities.

The county may acquire private or public property or property rights for limited-access facilities and service roads, including rights of access, air, view and light, by gift, devise, purchase or condemnation, in the same manner as such authorities are now or hereafter may be authorized by law to acquire such property or property rights in connection with highways, roads and streets within their respective jurisdictions. All property rights so acquired may be in fee simple or in any lesser estate or interest. In connection with the acquisition of property or property rights for any limited-access facility or portion thereof, or service road in connection therewith, the county may, in its discretion, acquire an entire lot, block or tract of land, if by so doing the interests of the public will be best served, even though the entire lot, block or tract is not immediately needed for the right-of-way.

(Ord. 1473 (part), 2001: Prior code 10-2-9)

14.08.090 - Authority to provide and maintain limited-access facilities.

The mayor is authorized to plan, designate, establish, regulate, alter, improve, maintain and provide limited-access facilities for public use whenever the mayor is of the opinion that traffic conditions, present

or future, will justify such special facilities. The mayor may regulate, restrict or prohibit the use of such limited access facilities by pedestrians, animals or the various classes of vehicles or traffic.

(Ord. 1473 (part), 2001: Prior code 10-2-8)

14.08.100 - Restriction of highway use.

Whenever it is deemed necessary because of construction or maintenance work or because of emergency, the mayor may restrict the use of, or close, any highway or portion thereof. Whenever such highway or portion thereof is restricted or closed to travel, the public works department shall erect or cause to be erected, suitable barriers and notices to be posted at the point where the detour road takes off from the closed or restricted highway and the detour road shall be clearly indicated by signs and adequately maintained.

(Ord. 1473 (part), 2001: Prior code § 10-2-7)

14.08.110 - Local service roads.

In connection with the development of any limited-access facility, the operations division may, subject to mayor approval, plan, designate, establish, use, regulate, alter, improve and maintain local service roads and streets or designate as local service roads and streets any existing roads or streets. The operations division may exercise jurisdiction over service roads in the same manner as is authorized over limited-access facilities, if, in their opinion, such local service roads or streets shall be of appropriate design, and shall be separated from the limited-access facility proper by means of all devices designated as necessary or desirable by the proper authority.

(Ord. 1473 (part), 2001: Prior code § 10-2-10)

Chapter 14.12 - STANDARDS FOR ROADWAY DEVELOPMENT

Sections:

14.12.010 - Definitions.

For the purposes of this chapter, the following definitions shall apply:

"AASHTO guidelines" means the engineering and development standards published by AASHTO in the current edition titled "A Policy on Geometric Design of Highways and Streets."

"ADA Accessibility Guidelines (ADAAG)" means the minimum standards set forth in the Federal Register, Volume 56, Number 144, July 26, 1991, regarding the accessibility to places of public accommodation and commercial facilities by persons with disabilities.

"Arterial" means generally signalized streets that serve primarily through-traffic and provide access to abutting properties as a secondary function.

"Clearview" means that portion of the corners at intersections where obstructions are limited to two feet in height in order to preserve a safe sight distance for motorists entering intersections.

"Collector street" means streets providing land access and traffic circulation service within residential, commercial and industrial areas. They enable moderate quantities of traffic to move efficiently between local streets and the major street network.

"Corner lot" means a lot abutting on two intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed one hundred thirty-five degrees.

"Curb ramps" means a short ramp cutting through a curb or built up to a curb.

"Decision sight distance" means the distance required for a driver to detect an unexpected or otherwise difficult-to-perceive information source or hazard in a roadway environment that may be visually cluttered, recognize the hazard or its threat potential, select appropriate speed and path, and initiate and complete the required safety maneuver safely and efficiently.

"Developed parcel" means those land uses other than agricultural.

"Driveway" means an access constructed within and adjoining a roadway, connecting the roadway with adjacent property and intended to be used in such a way that the access into the adjacent property will be complete and will not cause the blocking of any sidewalk border area or roadway.

"Local streets" means streets primarily providing access to immediately adjacent properties. Through movement may be possible but is not encouraged.

"Multifamily driveway" means a driveway providing access to more than four dwelling units.

"Private roadway" means a roadway in private ownership which is controlled and maintained by the owners and not the county.

"Public roadway" means a roadway which has been dedicated, deeded or otherwise conveyed to public use.

"Roadway" means the entire width between the boundaries of any highway, street or road which is used for vehicular traffic. The terms "roadway," "highway," "street" and "road" are used interchangeably in this chapter.

"Ramp" means a walking surface which has a running slope greater than 1:20.

"Sight distance" means the same as stopping sight distance.

"Stopping sight distance" means the minimum sight distance required that will allow motorists traveling at or near the design speed to stop before reaching a stationary object in its path.

"Sidewalk" means a facility provided for pedestrian movement, usually segregated from vehicular traffic by a curb or provided on a separate right-of-way.

(Ord. 1265 § 2, 1994; Ord. 1186 § 1 (part), 1992)

14.12.020 - Roadways to comply with standards.

All public and private roadway development located within the unincorporated county subject to the jurisdiction of Salt Lake County shall meet the requirements of this chapter. Where specific elements of design and construction are not addressed in this chapter, roadway design and construction shall comply with the engineering guidelines for design set forth in the AASHTO publication, "A Policy on Geometric Design of Highways and Streets," 1990, and any successor editions. The public works engineer shall utilize the AASHTO manual in setting safe design requirements.

(Ord. 1186 § 1 (part), 1992)

14.12.025 - Curb ramps, ramps and sidewalks to comply with standards.

All public and private curb ramp, ramp and sidewalk development located within the unincorporated county subject to the jurisdiction of Salt Lake County shall meet the requirements of this chapter. Where specific elements of design and construction are not addressed in this chapter, curb ramp, ramp and sidewalk construction shall comply with the minimum guidelines for design set forth in the ADAAG, July 26, 1991, and any successor editions. The public works engineer shall utilize the ADAAG in setting appropriate design requirements.

(Ord. 1265 § 3, 1994)

14.12.030 - Policies.

The public works department shall adopt policies, including the complete streets policy, for use by county departments, developers and others in the overall layout and design of streets and adjacent developments. The public works engineer will keep and make available to the public copies of the policy.

(Ord. No. 1672, § II, 4-20-2010; Ord. 1186 § 1 (part), 1992)

14.12.040 - Clearview of intersecting streets.

- A. Corner sight distance for local streets as defined in the AASHTO guidelines shall be a minimum of three hundred feet. All other locations shall be provided with sight distance in accordance with AASHTO guidelines.
- B. No constructed or planted obstruction to view, in excess of two feet in height above the level of the adjacent street pavement (measured at the edge of the pavement), shall be allowed within the clearview of intersecting streets. Exception to this are signs that conform to Section 19.82.110; a reasonable number of trees pruned to ten feet; and pumps at gasoline service stations. In the event the provisions of this subsection conflict with Section 19.76.160, the most restrictive shall apply.
- C. Landscaping material which infringes the clearview of intersecting streets and creates a safety hazard, after due notice to property owner has been given, may be trimmed by the operation division.

(Ord. 1473 (part), 2001; Ord. 1186 § 1 (part), 1992)

14.12.050 - Landscaping overhanging street pavement.

Trees and landscaping which overhang the street pavement shall be trimmed to a minimum height of thirteen and one-half feet above the street pavement.

(Ord. 1186 § 1 (part), 1992)

14.12.060 - Sidewalks.

- A. Sidewalks shall be located as far as practical from travel lanes. As the minimum standard, concrete sidewalks shall be four feet in width with a five foot utility strip between the roadway edge of sidewalk and back of curb.
- B. A five-foot sidewalk will be allowed integral with the back of curb where exceptional topographic conditions exist. Where integral sidewalk is permitted, the right-of-way may be reduced accordingly.
- C. When properties are adjacent, but do not access or front on public right-of-way, a stamped brick pavement in the utility strip or other suitable approved finishing material shall be required to reduce maintenance in these areas unless a homeowners association or special service district is provided.
- D. In areas zoned R-1-43 and other developments which have a minimum lot area of one acre, aesthetic alternatives may be approved in lieu of standard concrete, except areas along collectors and arterials. The public works engineer shall review and approve all design and geometric standards for such requests.
- E. Sidewalks shall remain unobstructed from vegetation and other obstructions to a minimum height of eight feet.

(Ord. 1473 (part), 2001; Ord. 1186 § 1 (part), 1992)

14.12.065 - Curb ramps.

- A. Curb ramps shall be provided wherever an accessible route crosses a curb.
- B. The least possible slope shall be used for any curb ramp. Slope shall be measured by: Slope equals Y:X, where X is a level plane.
- C. The maximum slope of a curb ramp in new construction shall be 1:12. Curb ramps to be constructed on existing sites or in existing buildings or facilities may have slopes and rises less than 1:12 as follows:
 - 1. A slope between 1:10 and 1:12 is allowed for a maximum rise of six inches;
 - 2. A slope between 1:8 and 1:10 is allowed for a maximum rise of three inches;
 - 3. A slope steeper than 1:8 is not allowed.
- D. The minimum width of a curb ramp shall be thirty-six inches, exclusive of flared sides.
- E. Surfaces of curb ramps shall be stable, firm and slip-resistant.
- F. If a curb ramp is located where pedestrians must walk across the ramp, or where it is not protected by handrails or guardrails, it shall have flared sides; the maximum slope of the flare shall be 1:10. Curb ramps with returned curbs may be used where pedestrians would not normally walk across the ramp.
- G. Built-up curb ramps shall be located so that they do not project into vehicular traffic lanes.
- H. Reserved.
- I. Curb ramps shall be located or protected to prevent their obstruction by parked vehicles.
- J. Curb ramps at marked crossings shall be wholly contained within the markings, excluding any flared sides.
- K. If diagonal (or corner type) curb ramps have returned curbs or other well-defined edges, such edges shall be parallel to the direction of pedestrian flow. The bottom of diagonal curb ramps shall have forty-eight inches minimum clear space. If diagonal curb ramps are provided at marked crossings, the forty-eight-inch clear space shall be within the markings. If diagonal curb ramps have flared sides, they shall also have at least a twenty-four-inch long segment of straight curb located on each side of the curb ramp and within the marked crossing.
- L. Any raised islands in crossings shall be cut through level with the street or have curb ramps at both sides and a level area at least forty inches long between the curb ramps in the part of the island intersected by the crossings.

(Ord. 1280 § 2, 1994; Ord. 1265 § 4, 1994)

14.12.070 - Horizontal clearance to obstructions.

On all streets a minimum clearance of twenty-four inches shall be provided between the curb face or shoulder edge and obstructions such as utility poles, fire hydrants, etc., except standard mailboxes approved by the U.S. Postal Service.

(Ord. 1186 § 1 (part), 1992)

14.12.080 - Cul-de-sacs.

- A. Cul-de-sacs and turnaround shall have a minimum right-of-way radius of fifty feet in residential areas and sixty feet in commercial and industrial areas. A circular left hand offset is desirable.

- B. Hammerhead, "L," "Y" and "T" turnarounds shall only be allowed when approved by the planning commission upon written recommendation and design review of the public works engineer.
- C. A temporary turnaround for stub streets in excess of one hundred fifty feet long shall be provided where the extension of a street is planned and anticipated.
- D. The length of cul-de-sacs shall vary inversely with density to accommodate a maximum of twenty-five lots and shall not be longer than one thousand feet.

(Ord. 1473 (part), 2001; Ord. 1186 § 1 (part), 1992)

14.12.090 - Roadway design.

- A. All vertical grades shall be a maximum of ten percent.
- B. A minimum vertical grade of four-tenths of one percent and a minimum crown slope of two percent shall be provided for adequate drainage of runoff.
- C. All approach legs of intersections shall provide vertical crest grades not to exceed two percent for a distance of at least fifty feet from right-of-way line of intersecting streets.
- D. The length of crest and sag vertical curves shall be designed in accordance with AASHTO guidelines.
- E. Vertical and horizontal curves shall be designed to provide a minimum stopping sight distance in accordance with AASHTO guidelines using the design speeds listed below. Decision sight distances, however, may be required as outlined in AASHTO's guidelines where more complex driver information error is likely to occur.
- F. All roadways shall be designed in accordance with the following design speeds using AASHTO's guidelines, principles, and practices:
 - 1. Local: Twenty-five mph;
 - 2. Collector: Forty mph;
 - 3. Arterial: Fifty mph.
- G. Superelevation rates above 0.06 ft./ft. shall be prohibited to minimize slipping across a roadway when stopped or attempting to slowly gain momentum from a stopped position. Superelevation will not be allowed on local residential streets.
- H. Where a centerline deflection angle of more than ten degrees occurs, a circular curve shall be introduced. There shall be a tangent of at least fifty feet on local streets and one hundred feet for collectors and arterials between reverse curves.

(Ord. 1186 § 1 (part), 1992)

14.12.100 - Right-of-way and pavement design.

- A. Pavement width and pavement design standards shall be provided as follows:

Right-of-Way Width		Pavement Width	Minimum Design Section
Local	42'	25'	8" base 3" asph.

Local	50'	25'	8" base 3" asph.
Collector	60'	35'	8" base 3" asph.
Collector	66'	41'	8" base 3" asph.
Collector	80'	55'	10" base 4" asph.
Arterial	106'	55'—81'	12" base 6" asph.

- B. All roadway sections shall be designed with minimums specified. The county shall require analysis and additional design requirements when unusual site or traffic conditions exist.
- C. All canyon roads, as classified in Chapter 14.28 of this code, shall be provided with the following minimum standards:

Right-of-Way		Pavement or Travel Width	Design Section
Cat. 1	66'	15'—36'	10" base 4" asph.
Cat. 2	50'	25'	8" base 3" asph.
Cat. 3	50'	25'	8" base 3" asph.
Cat. 4	25'	20'	6" base only
Cat. 5	25'	20'	4" base only
Cat. 6	25'	20'	4" base only

(Ord. 1186 § 1 (part), 1992)

14.12.110 - Driveways.

- A. All property shall be limited to the following number of street driveway entrances:
1. For the first two hundred feet of property frontage along a street, a maximum of two driveways, except that single family dwellings shall be permitted only one access unless a circular driveway is utilized. Single-family dwellings on corner lots may be permitted one access on each street

frontage if approved by the engineering division and planning and development services director upon a finding that no significant safety impacts will result.

2. For each additional one hundred fifty feet of property frontage along a street, a maximum of one additional driveway may be permitted, if approved by the engineering division and planning and development services director upon a finding that no significant safety impacts will result. In no case shall more than fifty percent of the property frontage along the street be used for driveway purposes.
- B. All driveway grades shall not exceed ten percent within twenty feet of the roadway boundary except where unusual topographical, aesthetic or other exceptional conditions exist a driveway grade not to exceed fifteen percent within twenty feet of the roadway boundary may be approved by the public works engineer for reconstruction and reconnection on Salt Lake County projects and by the planning and development services director for other development provided the exception to the ten percent grade requirements is not detrimental to the public safety or welfare.
 - C. There shall be a minimum ten feet distance between all approved driveways.
 - D. Driveways shall be a minimum of five feet from a side property line at the front lot line.
 - E. Additional requirements for residential driveways (except multiple-family):
 1. The minimum street driveway width at the property line for a driveway shall be ten feet and the maximum shall be thirty-five feet.
 2. There shall be a minimum of thirty-five feet between the entrances of circular driveways.
 3. A minimum five-foot radius or flared section shall be used.
 4. No radius or flare portion of a driveway shall intersect the adjacent projected property line except where shared driveways are utilized.
 5. On corner lots driveways shall be set back a minimum of twenty feet from the point of intersection of the right-of-way lines.
 - F. Additional requirements for commercial, industrial and multiple-family driveways:
 1. On corner lots driveways shall be set back a minimum of sixty feet from the projected intersection right-of-way lines with a minimum of five foot flared section. Flared driveways are required for distinction from intersection corners.
 2. The minimum width of a driveway shall be twelve feet and the maximum shall be fifty feet.

(Ord. 1473 (part), 2001; Ord. 1434 § 2, 1998; Ord. 1379 § 2, 1997; Ord. 1186 § 1 (part), 1992)

14.12.120 - Intersection design.

- A. The minimum radius of curb return on local streets in residential areas shall be twenty-five feet. A larger radius shall be used in industrial areas or higher functional classification streets as approved by the public works engineer in accordance with AASHTO guidelines.
- B. Streets shall intersect at an angle of ninety degrees where possible, but in no case shall the angle of intersection be less than eighty degrees.
- C. Offset intersections shall be avoided whenever possible and offsets shall be provided with minimum distances as follows:

1. Local streets:	one hundred fifty feet
2. Collectors:	five hundred feet

3. Arterials:	eight hundred feet
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D. Left turns shall be prohibited within two hundred feet of major intersections either by signs or concrete medians.

(Ord. 1473 (part), 2001: Ord. 1186 § 1 (part), 1992)

14.12.130 - Private roadways.

- A. The width of all private roadways shall consist of a minimum of twenty feet of unobstructed travel surface. Roadways shall be twenty-five feet wide where they form cul-de-sacs greater than five hundred feet in length. Short sections may be reduced to preserve trees or other features as approved by the fire department.
- B. All surfaces shall consist of an approved design capable of carrying twenty-four ton vehicles.
- C. Except as modified by subsections A and B of this section, all private roadways shall comply with the requirements of this chapter.
- D. Each and every owner of any interest in a private roadway shall be jointly and severally responsible for the maintenance and repairs to the roadway. The county shall have no responsibility or liability for the maintenance of or repair to any private roadway. Each private roadway shall be maintained in a manner which allows easy access and passage of emergency vehicles throughout the entire length of the roadway.

(Ord. 1186 § 1 (part), 1992)

14.12.140 - Street direction and grade.

No street shall vary from the direction and grade of other county streets unless an exception in the direction and grade is obtained from the mayor.

(Ord. 1473 (part), 2001: Ord. 1186 § 1 (part), 1992)

14.12.150 - Exceptions.

In cases where unusual topographical, aesthetic, or other exceptional conditions or circumstances exist, variations or exceptions to the requirements of this chapter may be approved by the mayor after receiving recommendations from the planning commission and the public works engineer; provided, that the variations or exceptions are not detrimental to the public safety or welfare.

(Ord. 1473 (part), 2001: Ord. 1186 § 1 (part), 1992)

Chapter 14.16 - EXCAVATIONS

Sections:

14.16.010 - Right-of-way—Excavation and structures prohibited when.

- A. No right-of-way of any county road shall be dug up or excavated and no approach, road, driveway, pole, pipeline, conduit, sewer, ditch, culvert, billboard, advertising sign, or other structure or object of any kind or character shall be placed, constructed or maintained within any such right-of-way except as permitted by and in accordance with the regulations of the county engineering division.
- B. Any person who violates the provisions of this section is guilty of a misdemeanor.

(Ord. 1473 (part), 2001: Ord. 792 § 1 (part), 1981: prior code § 10-3-15)

14.16.020 - Permit—Required.

It is unlawful for any person to tunnel under or to make any excavation in any street, alley or other public place (which shall include all area between the fence line on one side of the street or alley and the fence line on the opposite side) in the county without complying with the provisions of this chapter and obtaining a permit therefor and paying the fee as required in this chapter. An emergency excavation may be made without prior permit if the reason for the excavation is to prevent loss of life or damage to property that appears to be imminent if the excavation is delayed by waiting to contact the engineering division. In such emergency situations the excavating parties shall contact the engineering division on the first working day following the excavation and complete and secure a formal permit. None of the provisions of these specifications are waived for emergency situations except for prior permit requirement.

(Ord. 1473 (part), 2001: Ord. 1193 § 4, 1992: Ord. 792 § 1 (part), 1981: prior code § 10-3-1)

14.16.030 - Permit—Application.

Applications for such permits shall be made to the engineering division and shall describe the location of the intended excavation or tunnel, the size thereof, the purpose therefor, the person, firm or corporation doing the actual excavating work and the name of the person, firm or corporation for whom or by which the work is being done, and shall contain an agreement that the applicant will comply with all ordinances and laws of the county and the state relating to the work to be done. Such application may be made by telephone if there is already on file with the engineering division the following: (1) a signed agreement that the applicant will comply with all ordinances and laws of the county and the state relating to the work to be done, and (2) the required certificate of insurance and completion bond.

(Ord. 1473 (part), 2001: Ord. 1193 § 5, 1992: Ord. 792 § 1 (part), 1981: prior code § 10-3-2)

14.16.035 - Work without permit—Penalty.

A person found doing work in the public way without having obtained a permit, as provided by 14.16.030 of this chapter, shall be required to pay a penalty fee equal to two times the normal permit fee.

(Ord. 1215 § 2, 1992: Ord. 1193 § 2, 3, 1992)

14.16.040 - Fees.

The applicant shall pay the public works department the following excavation fees:

- A. For excavations within asphalt or concrete, fifty cents per square foot (two hundred fifty dollars minimum).
- B. For excavations within dirt, twenty-five cents per square foot (one hundred twenty-five dollars minimum).

- C. For road closures or obstructions which are caused by excavations, fifty dollars per day for each lane or partial lane which is closed or obstructed for more than seventy-two hours.
- D. For permit extensions an additional fee equal to one-half of the original fee will be assessed.

(Ord. 1484 § 2, 2001)

14.16.050 - Insurance requirements.

- A. No such permit shall be issued unless and until the applicant therefor has posted with the highway division a certificate of insurance in a company authorized to issue insurance by the state, evidencing that such applicant has comprehensive general liability and property damage policy that includes contractual liability coverage with minimum limits of two hundred fifty thousand dollars for injuries, including accidental death to any one person in any occurrence; in an amount not less than five hundred thousand dollars on account of injuries sustained by two or more persons in any one occurrence, and property damage insurance in an amount not less than one hundred thousand dollars for any one occurrence. The insurance policies shall further contain the following provisions:
 - 1. To indemnify, save harmless and defend the county and its officers and employees against any claim or loss, damage or expense, sustained on account of damages to persons or property occurring by reason of an excavation made by the permittee, his subcontractor or agent, whether or not the excavation has been filled or resurfaced and whether or not the surface has been opened to public travel;
 - 2. To indemnify, save harmless and defend the county from any and all liability for the county's own negligence occurring by reason of the opening or excavation. This indemnification agreement covering the county's liability for its own negligence shall not apply to injuries or damages sustained while county employees are present at the excavation pouring cement or asphalt therein;
 - 3. To indemnify, hold harmless and defend the county, and its officers and employees against any claim or loss, damage or expense sustained on account of damages occurring by reason of failure to maintain proper barricades and/or lights as required from the time of the opening of the excavation until the excavation is surfaced and opened for travel;
 - 4. Naming the county as an additional insured and providing that thirty days' notice shall be given to the county prior to termination of the policy, for any reason. Prior to cancellation of insurance, the permittee shall forthwith close the excavation and complete all worksite restoration work.
- B. A public utility company or property owner performing work adjacent to his residence may be relieved of the obligation of submitting certificates of insurance if such person or company shall submit satisfactory evidence in advance that it is insured, or has adequate assets and provisions for self-insurance. Public utilities may submit annually evidence of insurance coverage in lieu of individual submissions for each permit

(Ord. 792 § 1 (part), 1981; prior code § 10-3-4)

14.16.060 - Completion bond.

No such permit shall be issued unless and until the applicant therefor has posted with the engineering division a completion bond, the amount of which is to be determined by the engineering division. The amount of the bond shall be sufficient to reasonably insure the proper restoration of the ground and the laying of pavement, if any. Should the applicant fail to perform, the expense to the county of restoring the surface of the ground and pavement shall be deducted from the bond and the balance shall be returned to the applicant without interest after the tunnel or excavation is restored. A separate completion bond shall not be required, however, where the restoration of the ground and the laying of the pavement is specifically granted under the provisions of another bond. The bond shall further guarantee

the restoration of the worksite for a period of three year from the completion date of the restoration, reasonable wear and tear excepted.

(Ord. 1473 (part), 2001: Ord. 792 § 1 (part), 1981: prior code § 10-3-5)

14.16.070 - Application requirements for conservancy districts.

Water conservancy districts, sewage districts or other entities that under certain circumstances are or may be exempt from bonding provisions, shall make application, as required in this chapter, before proceeding to make excavations in any street, alley or other public place in the county. Such districts or other entities shall comply with all requirements of this chapter pertaining to the restoration of a cut surface to its original condition and shall indemnify the county for any loss, liability or other damage resulting from the making of any excavation, and shall also pay all fees required by Section 14.16.040 of this chapter. Where lateral cuts are made by any such district or entity for customer connections to the works of the district or other entity, a fee shall be paid in accordance with Section 14.16.040 of this chapter, either by such district or entity (if it makes the excavation and/or connection), or by the customer for whom the excavation or cut is made.

(Ord. 792 § 1 (part), 1981: prior code § 10-3-6)

14.16.080 - Manner of excavating.

- A. It is unlawful to make any excavation or tunnel in any way contrary to or at variance with the terms of the permit therefor. Proper bracing shall be maintained to prevent the collapse of adjoining ground. No portion of an excavation below the surface shall extend beyond the opening at the surface.
- B. No injury shall be done to any pipes, cables or conduits in the making of such excavations or tunnels. Notice shall be given to the persons maintaining such pipes, cables or conduits that are or may be endangered or affected by the making of any excavation or tunnel before such pipes, cables or conduits shall be disturbed, or to the engineering division.
- C. No unnecessary damage or injury shall be done to any tree or shrub or the roots thereof.

(Ord. 1473 (part), 2001: Ord. 792 § 1 (part), 1981: prior code § 10-3-7)

14.16.090 - Sidewalks and curb ramps.

If any sidewalk or curb ramp is blocked by excavation work, a temporary sidewalk or curb ramp shall be constructed or provided that shall be safe for travel and convenient for users.

(Ord. 1265 § 5, 1994: Ord. 792 § 1 (part), 1981: prior code § 10-3-9)

14.16.100 - Inspection of excavation.

A representative of the operation division shall from time to time inspect or cause to be inspected all excavations and tunnels being made in or under any public street, alley or other public place in the county, to insure the enforcement of the provisions of this title.

(Ord. 1473 (part), 2001: Ord. 792 § 1 (part), 1981: prior code § 10-3-11)

14.16.110 - Backfill requirements.

Material for backfill under paved areas shall be of a select nature. All large broken concrete, peat, decomposed vegetable matter and similar materials obtained from the excavation shall be removed from the site prior to the beginning of backfilling. All backfill shall be placed in layers or lifts consistent with the nature of the soil involved. Compaction shall be obtained by mechanical rollers, tampers or other improved means. Material used for backfilling shall be properly moistened or watered to the correct moisture content to insure proper compaction. Jetting, internal vibrating methods of compacting sand fill, or similar methods of compacting sand or similar granular, free-draining materials will be permitted. No frozen material shall be used for backfill under paved surfaces. The intent of this provision is to insure that the density dry of the backfill under pavements, sidewalks, curbs or other structures shall be not be less than that of the surrounding unmolested soil.

(Ord. 792 § 1 (part), 1981: prior code § 10-3-8)

14.16.120 - Restoration of surface—Required.

Any person making any excavation or trenchless technology in or under any public street, alley or other public place in the county shall, at his own expense, restore the surface to its same type and depth of pavement as that which is adjoining, including the gravel base material. Refills shall be properly tamped down, and any bracing in such tunnel or excavation shall be left in the ground. All restoration shall conform to the standards and regulations promulgated by the public works department, and all restorations shall be accomplished within seventy-two hours from the time of the excavation, unless additional time is granted in writing by the director of the highway division.

(Ord. 1484 § 3, 2001: Ord. 1473 (part), 2001: Ord. 1193 § 6, 1992: Ord. 792 § 1 (part), 1981: prior code § 10-3-10)

14.16.130 - Restoration of surface—By county.

The person doing the actual excavating work may, at its option, request that the operation division restore the surface to its original condition. The fee for such resurfacing shall be determined by the highway division in accordance with its reasonable costs for such work and shall be charged to the person, firm or corporation making the excavation. A minimum fee of fifteen hundred dollars will be charged in all cases; except for chip seal or slurry seal, for which the minimum fee will be one hundred dollars.

(Ord. 1473 (part), 2001: Ord. 1193 § 7, 1992: Ord. 792 § 1 (part), 1981: prior code § 10-3-12)

14.16.140 - Failure to comply.

If the person doing the actual excavating work or the person for whom the work is being done shall fail to restore the surface to its original condition in accordance with the standards required in this chapter, or to request that the operation division do so within forty-eight hours after the receipt of written notice from the operation division, the director of the operation division, or a designee, may authorize and employ the necessary assistance to restore the surface to its original condition. The operation division shall prepare an itemized statement of all expenses incurred in such restoration and shall mail or hand deliver a copy thereof to the excavator and to the person for whom the work was done and to the bond holder, demanding payment within twenty days of the date of mailing. The notice shall be deemed delivered when hand delivered or mailed by certified mail, addressed to the last known address of the property owner.

(Ord. 1473 (part), 2001: Ord. 1193 § 8, 1992: Ord. 792 § 1 (part), 1981: prior code § 10-3-13)

14.16.150 - Collection of expenses by lawsuit.

In the event collection of the county's expenses must be made in court, the county shall sue and receive judgment for all expenses incurred in the restoration of the property, together with reasonable attorney's fees, interest and court costs. The county shall execute upon such judgment in the manner provided by law.

(Ord. 792 § 1 (part), 1981: prior code § 10-3-14)

Chapter 14.17 - EXCAVATION PERMITS FOR MONUMENTS

Sections:

14.17.010 - Prohibition against covering monuments.

It is unlawful for any person to damage, remove or cover with any hard surfacing such as asphalt, concrete or metal any public survey monument or section corner, including the metal ring and cover, except as permitted by this chapter.

(Ord. 1406 § 1 (part), 1997)

14.17.020 - Public survey monument defined.

"Public survey monument" means and includes any survey monument, benchmark or section corner, including metal ring and cover, owned by Salt Lake County, a city within Salt Lake County, the state of Utah, the United States or any department, division or agency of any such governmental entity, whether located on privately owned or publicly owned land.

(Ord. 1406 § 1 (part), 1997)

14.17.030 - Permit application.

Prior to disturbing, damaging, removing, moving or covering any public survey monument a person shall apply for a permit on a form provided by the Salt Lake County surveyor.

(Ord. 1406 § 1 (part), 1997)

14.17.040 - Permit fee.

The applicant for a public survey monument excavation permit shall pay a fee with the application in the amount of fifty dollars for the first monument per application and ten dollars for every additional monument on the same application.

(Ord. 1406 § 1 (part), 1997)

14.17.050 - Other governmental entity concurrence.

The county surveyor shall not issue a public survey monument permit for work on a public survey monument owned by another governmental entity until the applicant has provided the county surveyor with documentation for the other governmental entity's approval.

(Ord. 1406 § 1 (part), 1997)

14.17.060 - Licensed land surveyor required.

Work under a public survey monument permit shall be performed only under the supervision of a licensed Utah land surveyor in accordance with any specifications, requirements and conditions imposed by the Salt Lake County surveyor and any other entity whose approval is required.

(Ord. 1406 § 1 (part), 1997)

14.17.070 - Penalty for work without a permit.

A person who disturbs, damages, moves, removes or covers a public monument without a permit as required by this chapter shall, in addition to any other penalty, pay double the permit fee required by Section 14.17.040.

(Ord. 1406 § 1 (part), 1997)

14.17.080 - County restoration, replacement, repair or uncovering.

The county surveyor may restore, repair, raise, replace or uncover any public survey monument owned by the county which is disturbed, damaged, moved, removed or covered in violation of this chapter. The cost of such restoration, repair, raising, replacement or uncovering, including any necessary resurveying, shall be paid by the person who disturbed, damaged, moved, removed or covered the public survey monument, or by the person for whom such actions were performed.

(Ord. 1406 § 1 (part), 1997)

14.17.090 - Stop work order.

In addition to any other penalty, the Salt Lake County surveyor or his designee may issue a stop work order. The stop work order may be issued where the county surveyor's office has reasonable suspicion and/or knowledge that one or more public survey monuments are in danger of being damaged, removed or covered. The work may be stopped by giving notice in writing served on any persons engaged in doing or causing the damage, removal or covering of the monument. The notice shall be given three days prior to the actual work stoppage, allowing the person time to be heard by the Salt Lake County surveyor and come into compliance with the chapter. Failure to come into compliance will result, in addition to any other penalty, in the issuance of the stop work order until compliance is achieved.

(Ord. 1406 § 1 (part), 1997)

14.17.100 - Itemized statement of expenses.

The county surveyor shall prepare an itemized statement of all expenses incurred in the restoration, repair, raising, replacement or uncovering, including any necessary resurveying, of any public survey monument which the county surveyor is required to restore, repair, raise, replace or uncover. The statement shall be mailed or delivered to the person who caused the county surveyor to take such action or to the person for whom the work was performed. The statement shall include the cost of all county personnel. Payment of the statement shall be due within twenty days of the mailing or delivery of the statement. The statement shall be deemed delivered when sent by certified mail postage prepaid, or hand delivered, addressed to the last known address of the person who caused the county to take action or the person for whom such work was performed.

(Ord. 1406 § 1 (part), 1997)

Chapter 14.20 - ENCROACHMENTS AND OBSTRUCTIONS

Sections:

14.20.010 - Encroachments prohibited.

It is unlawful to extend or construct any sidewalks or curb ramps so as to encroach upon any highway, nearer to the center thereof than the curblines as designated in this title, or to encroach upon any sidewalk, curb ramp or driveway with any building, fence, wall, post or other obstruction nearer than the fenceline, so as to make the sidewalk narrower than the widths as designated in this title or to alter or eliminate any existing curb ramp.

(Ord. 1473 (part), 2001: Ord. 1265 § 6, 1994: prior code § 10-5-1)

14.20.020 - Conformance to grade required.

It is unlawful to lay, build or construct any sidewalk upon any highway in the county, except in accordance with plans and specifications approved by the public works department.

(Ord. 1473 (part), 2001: Ord. 874 (part), 1983: prior code § 10-5-2)

14.20.030 - Improvements on or near sidewalk or curb ramp.

It is unlawful for any person to construct, place, keep or maintain upon or across any sidewalk or curb ramp in the county any porch, platform or other structure, except at the grade thereof, or any flume, pipe or structure, except at or below the grade thereof. Where any platform, porch, flume, pipe or structure is below the grade, it shall be covered to grade; and such platform, porch, flume, pipe, or structure shall be kept in good repair by the party in whose interest it is constructed or used, so as not to be dangerous to pedestrians or an obstruction to the safe and ordinary use of the sidewalk or curb ramp.

(Ord. 1265 § 7, 1994: prior code § 10-5-3)

14.20.040 - Obstructing traffic on sidewalk, curb ramp or highway prohibited.

- A. It is unlawful to construct, place, keep or maintain upon or across any sidewalk, curb ramp or highway in the county situated in the public right-of-way, any open ditch, flume, conduit, waterway, headgate, log, building material, vehicle, railway, or other obstruction; provided, building materials, vehicles or objects may be placed temporarily in such manner on said public highways as not to impede, endanger or obstruct ordinary traffic, but no such building material, vehicles or other objects shall be permitted to remain on such highway contrary to instructions from the operations division of the public works department. It is unlawful to pile any dirt or other material, or make any other defacement on any sidewalk, curb ramp or highway so as to interfere with the ordinary use thereof.
- B. Except as provided in subsection C, below, it is unlawful to drive or place any vehicle, animal or other object upon or along any sidewalk, curb ramp or highway located in the public right-of-way or to permit the same to remain thereon in a manner likely to impede or obstruct the ordinary use thereof.
- C. Containers with garbage and other solid waste to be collected by Salt Lake County Special District No. 1, or any other solid waste collection provider, shall be set out for collection upon the public street immediately adjacent to the property or in such other area as approved by the operations division of the county public works department and the solid waste collection provider. Such

containers shall not extend more than four feet into the street. Containers shall not be set out upon the street for collection prior to the evening of the day before collection. All containers shall be removed from the street as soon as practicable after being emptied and in every case shall be removed from the street the same day as they are emptied. The director of the sanitation services division of the county public works department, or his or her authorized agents, and the county sheriff are designated as the officers charged with the enforcement of this subsection.

- D. A violation of subsections A. and B. shall be a Class B misdemeanor. A violation of subsection C. shall be an infraction.

(Ord. No. 1653, § II, 8-25-2009)

14.20.050 - Unattended animals on highway prohibited.

Every person staking, tethering, herding, grazing, pasturing, allowing to run at large, or causing to be staked, tethered, herded, grazed, pastured or allowed to run at large, any horse, cow, mule, sheep, goat, swine or other animal upon any of the public highways of the county shall be guilty of a Class B misdemeanor.

(Ord. 1473 (part), 2001: Prior code § 10-10-3)

14.20.060 - Impoundment of animals.

It is the duty of animal services to take into custody any horse, cow, mule, sheep, goat, swine or other animal found to be staked, tethered, herded, pastured or running at large upon any of the public highways of the county, and to deliver such animal to the animal shelter. Animal services shall retain possession of the animal until the costs of taking and bringing it to the shelter and of its maintenance while at the shelter are paid.

(Ord. 1473 (part), 2001: Prior code § 10-10-4)

14.20.070 - Removal of unlawful installations.

It is unlawful for any person to place, construct or maintain any approach road, driveway, pole, pipeline, conduit, sewer, ditch, culvert, billboard, advertising sign or any other structure or object of any kind or character within the right-of-way of any county road without complying with the regulations of the public works department, which department may:

- A. Remove such installation from the right-of-way or require such person to remove the same; or
- B. Give written notice to such person to remove the installation from the right-of-way. The notice may be served either by personal service or by mailing the notice to the person by registered mail and posting a copy thereof on the installation for a period of ten days. If the installation is not removed within ten days after the notice is complete, the public works department may remove the same and recover costs and expenses, and also the sum of ten dollars for each day the same remained within the right-of-way after notice was complete, in an action for that purpose; or
- C. If such person disputes or denies the existence of such installation, or refuses to remove or permit its removal, the county may bring an action to abate the same as a nuisance. If judgment is recovered, there shall also be recovered, in addition to having the same abated, the costs of action and the sum of ten dollars for every day such nuisance remained within the right-of-way after notice was given for its removal in the manner provided in subsection B of this section.

(Ord. 1473 (part), 2001: Prior code § 10-5-8)

14.20.080 - Advertising—Permit required.

It is unlawful for any person to place any form of advertising upon any part of the public domain in the county, or along any county highway right-of-way except upon land in private ownership situated along such highway, without first receiving a permit so to do from the mayor.

(Ord. 1473 (part), 2001: Prior code § 10-5-7)

14.20.090 - Confining and securing loads on vehicles required.

- A. No vehicle shall be driven or moved on any county highway unless so constructed or loaded as to prevent its contents from dropping, sifting, leaking or otherwise escaping therefrom, except that sand or other abrasives may be dropped for the purpose of securing traction, or water or other substance may be sprinkled on a roadway for cleaning or maintaining such roadway.
- B. No person shall operate on a public highway any vehicle with a load unless the load and any covering thereon is suitably fastened, secured and confined according to the nature of the load so as to prevent the covering or load from becoming loose, detached or in any manner a hazard to other users of the highway.

(Prior code § 10-5-9)

14.20.100 - Water upon highway prohibited.

It is unlawful for any users of water from any ditch, stream or well to wilfully or carelessly permit the same to run upon any county highway in such a manner as to damage or interfere with the proper use of same, or to cause pools of water to stand thereon, or to cause anything to be placed or left upon such highway in such a way as to obstruct travel or to endanger property or persons upon same.

(Prior code 10-5-6)

14.20.105 - Placing snow upon highway prohibited.

It is unlawful for any person removing snow, ice or other material from a sidewalk or driveway to place or deposit said snow, ice or other material upon any county road or highway in such a manner as to interfere with the proper use of the same or in such a way as to obstruct travel or to endanger property or persons upon same.

(Ord. 1097 § 1, 1990)

14.20.110 - Encroachments deemed obstructions.

It is the duty of supervisors of road districts to treat as obstructions to public highways all encroachments declared by the terms of this chapter to be unlawful.

(Prior code § 10-5-5)

Chapter 14.24 - POLES, POSTS AND FENCES

Sections:

14.24.010 - Prohibited generally.

It is unlawful for any person to set, place, keep or maintain any pole, post, fence or like obstruction upon or along any public highway, road, tree, avenue, lane, alley, trail, curb ramp or sidewalk in the county, except as designated in this chapter.

(Ord. 1265 § 9, 1994: prior code § 10-9-1)

14.24.020 - Telephone and telegraph poles.

Telephone and telegraph poles shall be set along the pole line, with the face of the pole nearest the center of the street, one foot toward the property line from a line known as the curblin or in that area designated for utilities.

(Prior code § 10-9-2)

14.24.030 - Electric light poles.

Electric light or other poles for carrying electric current for commercial purposes shall be set in the same manner as telephone and telegraph poles, one foot from the curblin or in that area designated for utilities.

(Prior code § 10-9-3)

14.24.040 - County's permission required when.

No telephone, telegraph, electric light or other pole used for support of wires carrying electric current shall be set on any county highway without a permit therefor being first obtained from the county.

(Ord. 1473 (part), 2001: Prior code § 10-9-4)

14.24.050 - Mailboxes.

Posts for carrying or holding mailboxes shall be set either along the tree or pole line hereinbefore defined or a sufficient distance back of the curblin so as not to obstruct the street, highway, sidewalk or curb ramp traffic.

(Ord. 1265 § 10, 1994: prior code § 10-9-5)

14.24.060 - Fences.

Fence posts may be set along a fenceline, which is designated as the distance from the center of any highway not less than half the surveyed and platted width of the highway. It is unlawful to place or maintain any fence or building the face of which is nearer the center of any highway than the line designated as the fenceline.

(Ord. 1473 (part), 2001: Prior code § 10-9-6)

14.24.070 - Posts on property abutting public highway.

It is unlawful to set, place or maintain any telephone, telegraph, electric light or current poles, trees, mail, sign or other posts, except as provided in this chapter, upon property abutting on any public highway in the county, at a point nearer to the fenceline than a line centering one foot therefrom on the side

farthest from the center of the highway; and it is unlawful to set or maintain any sign or other post at a point nearer the centerline than one-half foot from the outside of the outer limit of any alley or lane.

(Prior code § 10-9-7)

14.24.080 - Reservation of poles for county use.

It is provided that any grant or permission hereafter given to set telephone, telegraph or electric light poles upon any of the public highways in the county, shall be made subject to the reservation, whether or not the reservation is specifically set forth in the grant or permission, that whenever the commission shall deem it necessary for the public good or service, the county shall have the right to place crossarms on the poles, and to string one set of wires thereon, for furnishing electric light and current to the county, and to use and operate the same during the period of such grant or permission, with reasonable regard for the rights of the grantee.

(Prior code § 10-9-8)

14.24.090 - Violation deemed obstruction.

It is the duty of operation division to treat as obstructions to public highways, all poles, posts, fences or other obstructions set or placed in violation of the terms of this chapter.

(Ord. 1473 (part), 2001: Prior code § 10-9-9)

Chapter 14.28 - CANYON AND RURAL ROAD MAINTENANCE AND CLASSIFICATION

Sections:

14.28.010 - Purpose.

The purpose of this chapter is to identify the canyon and designated rural roads for which the county has maintenance responsibility and to classify the roads for the level of maintenance to be performed.

(Ord. 1000 § 1 (part), 1987)

14.28.020 - Definitions.

For the purposes of this chapter:

"Canyon roads" means canyon roads for which the county has maintenance responsibility in the following canyons:

1. Emigration Canyon;
2. Pine Crest;
3. Killian Canyon;
4. Lambs Canyon;
5. Parley's Canyon;
6. Millcreek Canyon;
7. Big Cottonwood Canyon;
8. Little Cottonwood Canyon;

9. Butterfield Canyon;
10. Rose Canyon.

"Dry road surface" means road surfaces that can be maintained only during periods of dry or fair weather.

"Rural" means an area which has developed primarily with agricultural or estate residential uses, and the lot size is a minimum of one acre.

"Rural roads" means only those roads designated on the map described in Section 14.28.040.

"Summer maintenance" means routine maintenance that can be performed after April 1st when the road is snow free until the weather in the fall necessitates snow plowing. Summer maintenance shall not include any snow plowing.

"Wet and dry road surface" means road surfaces that can be maintained year round under any climatic conditions.

(Ord. 1000 § 1 (part), 1987)

14.28.030 - Classifications.

Canyon and rural roads shall be classified according to the following categories:

- A. Category 1 Road. A Category 1 road consists of asphalt or concrete pavement with the following characteristics:
 1. Lane striping;
 2. Regulatory and street identification signing;
 3. Speed limits between five to thirty-five miles per hour;
 4. Year-around maintenance with wet and dry road surface conditions.
- B. Category 2 Road. A Category 2 road consists of asphalt or concrete pavement with the following characteristics:
 1. No lane striping;
 2. Regulatory and street identification signing;
 3. Speed limits between five to twenty-five miles per hour;
 4. Summer maintenance only with dry road surface condition.
- C. Category 3 Road. A Category 3 road consists of asphalt or concrete pavement with the following characteristics:
 1. No lane striping;
 2. Regulatory and street identification signing;
 3. Speed limits between five to twenty-five miles per hour;
 4. Year-around maintenance with wet and dry road surface conditions.
- D. Category 4 Road. A Category 4 road consists of gravel surface with the following characteristics:
 1. No lane striping;
 2. Regulatory and street identification signing;
 3. Speed limits between five to twenty-five miles per hour;

4. Summer maintenance only with dry road surface condition.
- E. Category 5 Road. A Category 5 road consists of gravel surface with the following characteristics:
1. No lane striping;
 2. No regulatory and street identification signing;
 3. Speed limits between five to twenty-five miles per hour;
 4. Summer maintenance only with dry road surface condition.
- F. Category 6 Road. A Category 6 road consists of dirt surface with the following characteristics:
1. No lane striping;
 2. No regulatory and street identification signing;
 3. Speed limits between five to twenty-five miles per hour;
 4. Summer maintenance only with dry road surface condition.

(Ord. 1000 § 1 (part), 1987)

14.28.040 - Classification map.

The identification, location and categorization of canyon and designated rural roads for which the county has a maintenance responsibility shall be placed on a map entitled the "canyon and rural road classification map" which shall be on file in the county engineering division. Such map, before becoming effective, shall be approved by the board of county commissioners.

(Ord. 1473 (part), 2001: Ord. 1000 § 1 (part), 1987)

14.28.050 - Amendments to map.

Amendments to the canyon road classification map may be made by the director of the public works department upon the approval of the mayor as long as such amendments are within the scope of the budget approved by the council. Amendments to the categorization of canyon roads shall be considered on the basis of safety, cost benefit ratio and serviceability factors.

(Ord. 1473 (part), 2001: Ord. 1000 § 1 (part), 1987)

Chapter 14.32 - SIDEWALK USE AND MAINTENANCE

Sections:

14.32.010 - Duty of abutting property owners.

It shall be the duty of each owner of real property abutting or fronting upon any street, highway or alley within the unincorporated area of the county, to repair and maintain in good condition all public curbs, curb ramps, gutters and sidewalks across or immediately abutting their property.

(Ord. 1265 § 11, 1994: Prior code § 10-12-11)

14.32.020 - Inspections.

The county, through the department of public works, may inspect the condition of the public curbs, gutters and sidewalks to determine any defects or needed repairs.

(Ord. 1265 § 12, 1994: prior code § 10-12-12)

14.32.030 - Notice to repair.

Notice of needed repairs or defects in the public curbs, curb ramps, gutters and sidewalks shall be sent to the owner of the abutting property as shown on the records of the county recorder. Such notice shall specify the repairs needed or the defect and shall state a deadline for completing the repairs. A review of such deadline shall be not earlier than thirty nor later than sixty days from the date of the notice. The notice shall specifically instruct the property owner of his obligation under this chapter and of his opportunity for review.

(Ord. 1265 § 13, 1994: prior code § 10-12-13)

14.32.040 - Permits for repairs required when.

No permits shall be necessary for such repairs unless it is necessary to alter the grade, location or dimensions of the curbs, curb ramps, gutters or sidewalks. In such event, there shall be no charge for the permit.

(Ord. 1265 § 14, 1994: prior code § 10-12-18)

14.32.050 - Repair by county—Lien.

In the event that the property owner fails to complete the repairs or to seek review within the time specified in the notice, the county may make the repairs with the implied consent of the owner. The cost of such repairs shall constitute a lien against the real property. If such lien is not satisfied within sixty days after being filed, for record, the county may seek to foreclose the lien in the manner provided in Title 38 of the Utah Code Annotated (1953) for the enforcement of mechanic's liens. (

(Ord. 1265 § 15, 1994: prior code § 10-12-14)

14.32.060 - Right of review—Request—Hearing.

- A. The owner shall have the right to seek review of the notice of repairs through the department of public works and to appeal any decision rendered by the department of public works to the mayor as provided in subsections B and C of this section.
- B. The owner may seek review of the notice of repairs by filing a request with the office of the director of public works. The request must be on file within ten business days from the date of the notice of repairs. Upon receipt of the petition requesting a hearing, the director shall schedule a hearing within ten business days, before himself or his designee, and cause notice to be sent to the petitioner.
- C. After the hearing, the director or his designee, shall cause written notice of his decision to be sent to petitioner, which notice shall also inform petitioner of his right to appeal to the mayor. Petitioner may appeal to the mayor by filing written request with the clerk of the board within ten business days from the date of the director's decision. Petitioner shall be entitled to a hearing before the mayor within sixty days from the date the appeal is filed.

(Ord. 1473 (part), 2001: Prior code §§ 10-12-15 and 10-12-16)

14.32.070 - Stay of notice to repair.

The timely filing of a request for hearing with the director of the department of public works, or upon appeal therefrom to the mayor shall stay the terms of the notice of repair during review proceedings, and all deadlines shall be redetermined by the hearing authority.

(Ord. 1473 (part), 2001: Prior code § 10-12-17)

14.32.080 - Obstruction of sidewalks or curb ramps prohibited.

It is unlawful for any person owning, occupying or having control of any premises, to place or permit upon the sidewalk, curb ramp or the half of the street next to such premises:

- A. Any broken ware, glass, filth, rubbish, refuse matter, ice, water, mud, garbage, ashes, tin cans or other substances;
- B. Any vehicle, lumber, wood, boxes, fencing, building material, dead trees, tree stumps, merchandise, or other thing that obstructs the public street, curb ramp or sidewalk or any part thereof, or the free use and enjoyment thereof, or the free passage over and upon the same, or any part thereof, without the permission of the mayor. (

(Ord. 1265 § 16, 1994: prior code § 10-12-1)

14.32.090 - Sweeping sidewalks and curb ramps in front of businesses required.

It is unlawful for the owners or occupants of places of business within the county to fail to cause the sidewalk abutting thereon and any existing curb ramp to be swept or cleaned each morning before the hour of eight a.m.

(Ord. 1265 § 17, 1994: prior code § 10-12-10)

14.32.100 - Snow removal—Required.

In order to better protect the safety of pedestrians, it is unlawful for the owner, occupant, lessor or agent of property abutting on a paved sidewalk to fail to remove or cause to be removed from such paved sidewalk and any existing curb ramp all hail, snow or sleet falling thereon, within twelve hours after the hail, snow or sleet has ceased falling, provided that in case of a storm between the hours of five p.m. and six a.m., the sidewalk and any existing curb ramp shall be cleaned before eight a.m. following the storm.

(Ord. No. 1669, § II, 2-23-2010; Ord. 1265, § 18, 1994; prior code § 10-12-8)

14.32.110 - Snow removal—Clogging gutter prohibited.

It is unlawful for any person removing snow from a sidewalk or curb ramp to deposit snow, dirt or other material in a gutter so as to clog the same, or prevent the free flow of water therein.

(Ord. 1265 § 19, 1994: prior code § 10-12-9)

14.32.120 - Obstructing sidewalk or curb ramp while receiving goods.

It is unlawful for any person to place or keep, or suffer to be placed or kept upon any sidewalk or curb ramp, any goods, wares or merchandise that he may be receiving or delivering without leaving a ten-

foot passageway clear upon such sidewalk or curb ramp; and it is unlawful for any person receiving or delivering such goods, wares or merchandise to suffer the same to be or remain on such sidewalk or curb ramp for a period longer than one hour.

(Ord. 1265 § 20, 1994: prior code § 10-12-4)

14.32.130 - Cellar doors.

It is unlawful for the owner or occupant of any building having a cellar which opens upon any street, curb ramp or sidewalk to fail to keep the door or other covering thereof in good repair and safe for the passage of the customary traffic on the street, curb ramp or sidewalk.

(Ord. 1265 § 21, 1994: prior code § 10-12-2)

14.32.140 - Driving or riding on sidewalks prohibited.

It is unlawful for any person to drive a self-propelled vehicle or team, or lead, drive or ride any animal upon any sidewalk except at established crossings.

(Prior code § 10-12-5)

14.32.150 - Games on sidewalks, curb ramps or streets.

It is unlawful for any person to obstruct any sidewalk, curb ramp or street by playing games thereon, such as ballgames, quoits, marbles, jumping, rolling of hoops, flying of kites, or coasting, or to annoy or obstruct the free travel of any pedestrian, team or vehicle.

(Ord. 1265 § 22, 1994: prior code § 10-12-6)

14.32.160 - Loitering prohibited.

It is unlawful for any person to remain standing, lying or sitting on any sidewalk or curb ramp for a longer period than two minutes, in such manner as to obstruct the free passage of pedestrians thereon, or to wilfully remain standing, lying or sitting thereon in the manner for more than one minute after being requested to move by any police officer, or to wilfully remain on any sidewalk or curb ramp in such manner as to obstruct the free passage of any person or vehicle into or out of any property abutting upon the sidewalk, curb ramp or any property having access to such sidewalk or curb ramp.

(Ord. 1265 § 23, 1994: prior code § 10-12-7)

Chapter 14.36 - DRIVEWAYS

Sections:

14.36.010 - Permit required.

It is unlawful for any person to construct, build, establish or maintain any sidewalk, curb ramp, curb and gutter, or driveway over, across or upon any public street, road, thoroughfare, or parkway, or to cut or change the construction of any public sidewalk, curb or gutter for any purpose, without having first obtained from the planning and development services division a permit for such construction, cut or change.

(Ord. 1473 (part), 2001: Ord. 1265 § 24, 1994: Ord. 873 (part), 1983: prior code § 10-7-1)

14.36.020 - Bond required.

- A. Before issuance of any such permit, the contractor or person proposing the construction shall file with the bond office, on a form furnished by the county, a penal bond in the sum of ten thousand dollars with good and sufficient surety thereon, conditioned that the makers shall save harmless, defend and indemnify the county against or on account of accidents, damages or claims arising out of or during the construction by the contractor. All such bonds shall be continuing until terminated by notice in writing given thirty days in advance.
- B. In addition a contractor making a business of such construction in the county shall maintain on file in the office of the planning and development services division a performance and completion bond in the penal sum of one thousand dollars to guarantee for one year from date of acceptance by the county work done in the county.

(Ord. 1473 (part), 2001: Ord. 873 (part), 1983: prior code § 10-7-7)

14.36.030 - Specifications and grades.

All construction authorized by the permit issued under Section 14.36.010 shall be in accordance with the specifications and grades furnished by the planning and development services division and the acceptance of such permit shall be deemed an agreement by the permittee to perform such construction in accordance with such specifications and grades.

(Ord. 1473 (part), 2001: Ord. 873 (part), 1983: prior code § 10-7-2)

14.36.040 - Deviation from permitted construction unlawful.

It is unlawful for any person to construct any sidewalk, curb and gutter, or driveway over, across or upon any public street, road, thoroughfare or parkway, or to cut or change the construction thereof except in accordance with the permit issued by the planning and development services division.

(Ord. 1473 (part), 2001: Ord. 873 (part), 1983: prior code § 10-7-3)

14.36.050 - Inspection and approval.

All sidewalks, curb ramps, curb and gutters, and driveways constructed in accordance with the permits authorized by this chapter shall be subject to the supervision, inspection and approval by the planning and development services division.

(Ord. 1473 (part), 2001: Ord. 1265 § 25, 1994: Ord. 873 (part), 1983: prior code § 10-7-4)

14.36.060 - Construction regulations.

No permit shall be granted by the planning and development services division for any driveway exceeding thirty-five feet in width. No driveway, including sidewalk, shall be less than six inches thick. When more than one driveway is required for any one parcel of land, a sidewalk island of at least twelve feet shall be provided between driveways, and in no case shall a permit be granted for a driveway that will be within ten feet from the property line where it adjoins any street. It is unlawful for any person to drive any vehicles over or across any such street corner or within ten feet therefrom, as provided in this section. Where, in the opinion of the planning and development services division it would be dangerous, or where

a driveway conflicts with any permanent improvements or waterways, it may refuse to issue the permit and the matter shall be referred to the mayor for decision, in which event a driveway may be permitted at such place if approved by the mayor.

(Ord. 1473 (part), 2001: Ord. 873 (part), 1983: prior code § 10-7-5)

Chapter 14.40 - BRIDGES, DITCHES AND WATERWAYS

Sections:

14.40.010 - Generally.

It is unlawful for any person to construct, place, set, keep or maintain any bridge, sewer, well, spill, or like obstruction, upon, in, under or along any public highway, road, street, avenue, lane, alley, trail, sidewalk or curb ramp in the county, except as designated in this chapter.

(Ord. 1265 § 26, 1994: prior code § 10-8-1)

14.40.020 - Bridges.

Bridges over any ditch, waterway or opening across any sidewalk shall not be less than the full width of such sidewalk. Bridges over any ditch, waterway or opening across any roadway section of any highway, trail or sidewalk, except Jordan River bridges, shall not be narrower than the full width of the roadway section. In all cases, bridges shall be set square with the road or sidewalk, and their coverings shall be made to conform to the grade of the road or sidewalk as fixed by the public works department. All bridges shall be of substantial material and construction, and the plans and specifications shall be approved by the public works department. Bridges connecting the roadway with the sidewalk shall be made to conform with the established grade of the roadway and sidewalk.

(Ord. 1473 (part), 2001: Prior code § 10-8-2)

14.40.030 - Ditches and waterways.

- A. All ditches, canals or waterways constructed across or over any sidewalk or highway shall be securely bridged or flumed; the bridges or flumes shall conform to the regulations provided in this code.
- B. No ditch, canal or waterway shall be made or constructed across any sidewalk, curb ramp or highway except upon receiving approval from the engineering division and except after conforming with the established grade thereof. When a change in the grade of any sidewalk, curb ramp or highway becomes necessary for the convenience of any ditch, canal or waterway, the changed grade shall be done by or at the expense of the person, constructing the ditch, canal or waterway, and shall be constructed only after receiving approval to proceed from the engineering division and shall be completed to the satisfaction of the engineering division.
- C. All ditches, canals or waterways running along any highway shall be confined to a space on either side of such highway outside of the right-of way line unless otherwise approved by the engineering division. It is unlawful to construct or place any ditch, canal or waterway along any sidewalk, or along any highway in the county, or within a public right-of-way, without the permission of the county commission.

(Ord. 1473 (part), 2001: Ord. 1265 § 27, 1994: prior code § 10-8-3)

14.40.040 - Headgates.

Headgates for the control of irrigating or other water shall be placed either in the ditch space or outside of the right-of-way line, as may be necessary.

(Prior code § 10-8-4)

14.40.050 - Watermains.

Watermains for carrying water along or across any highway may be laid by approval of the engineering division, at a sufficient depth to keep the roadway secure, and when laid along any highway shall be located in the roadway centering on a line five feet nearer the center of the highway than the curbline as now fixed by ordinance. No excavation for laying watermains or pipes shall be made in any public highway without first obtaining the consent of the engineering division.

(Ord. 1473 (part), 2001: Prior code § 10-8-5)

14.40.060 - Duty to repair bridges and flumes.

It is unlawful for any person conveying water through or along any ditch, canal or waterway along or across any highway to permit any flume, bridge, etc., under the control of or owned by the person to become out of repair, and to remain so after attention has been called thereto, longer than is necessary to institute the work of repairs thereon, which work shall be diligently prosecuted to completion.

(Prior code § 10-8-6)

14.40.070 - Violations deemed obstructions.

It is the duty of the supervisors of road districts to treat as obstructions any bridges, flumes, pipes or ditches placed or constructed in violation of the terms of this chapter.

(Prior code § 10-8-7)

Chapter 14.44 - SHADE TREES

Sections:

14.44.010 - Care of trees.

In all cases the abutting property owner who receives the beneficial use of and benefit from trees is to care for and water same. Failure to care for trees may constitute a nuisance.

(Prior code § 10-6-7)

14.44.020 - Planting line.

The line on which the trees are to be centered within a county highway right-of-way shall be determined by the public works department.

(Ord. 1473 (part), 2001: Prior code § 10-6-8)

14.44.030 - Condemnation and removal of trees.

The operation division, upon giving proper notice to abutting property owner, shall have the authority to condemn and remove, or order the removal by the abutting property owner of any tree, tree stump, shrub or vine upon any county roads, avenues or ways where the tree, tree stump, shrub or vine is dead, diseased or for any other reason undesirable. The operation division shall have authority to trim or prune any road tree or remove any tree that is in violation of any county ordinance, without serving notice upon the abutting property owner.

(Ord. 1473 (part), 2001: Prior code § 10-6-5)

Chapter 14.48 - STREET VACATIONS

Sections:

14.48.010 - Purpose.

The purpose of this chapter is to provide a consistent standard regarding compensation to the county for the vacation and/or transfer of its interest in public streets. Vacation of the county's interest in streets should be viewed as a transfer of a substantial property right for which the public should be compensated. To prevent windfall enrichment to abutting property owners at public expense, such transfer should not be made without compensation being paid to the county.

(Ord. 873 (part), 1983: prior code § 10-13-1)

14.48.020 - Street defined.

"Street(s)" means all major and minor streets, alleys, walkways and trails.

(Ord. 873 (part), 1983: prior code § 10-13-2)

14.48.030 - Conditions for vacation.

Petitions for vacation of public streets shall be considered on the basis of the following:

- A. **Alleys, Walkways and Trails.** Alleys, walkways and trails are not generally within the current planning and maintenance policies of the county. Vacation of an alley, walkway or trail relieves the county from present or future obligations to maintain such alley, walkway or trail. This benefit to the county is declared to be adequate compensation for the county's interest. Where appropriate, the county may require conditions precedent to the vacation of any alley, walkway or trail such as installation of landscaping, fencing or other improvements which must be completed or bonded for prior to the transfer of county property interests.
- B. **Major and Minor Streets.** Major and minor streets shall not be vacated or permanently closed unless adequate compensation has been paid for the transfer of the county's interest in the land. The vacation or closure is not final or complete until the document transferring title is signed by the mayor and, in the case of a plat amendment or deed, recorded with the Salt Lake County recorder's office.

(Ord. 1570 § 2 (part), 2005: Ord. 873 (part), 1983: prior code § 10-13-6)

14.48.040 - Fees and advertising costs.

No petition for vacation of a county street shall be considered unless accompanied by a fee of three hundred dollars to cover costs of review by county personnel. The petitioner shall pay all advertising costs for public notices required for vacation hearings.

(Ord. 1584 § 2, 2006: Ord. 873 (part), 1983: prior code § 10-13-3)

14.48.050 - Legal interest of county.

No action shall be taken on any petition to vacate a street until the county real estate section identifies and verifies the specific manner in which the county acquired its interest in the street and the attorney determines the legal interest of the county in the street.

(Ord. 1473 (part), 2001: Ord. 873 (part), 1983: prior code § 10-13-4)

14.48.060 - Evaluation of need for street.

Each petition shall be evaluated in terms of the current use of the street and the need in the foreseeable future for its use as a public street or for any other public purpose. If such need exists or may exist in the foreseeable future, the petition shall be denied.

(Ord. 873 (part), 1983: prior code § 10-13-5)

14.48.070 - Compensation.

Any action providing vacation, sale or other transfer of the county's interest in any street where compensation is required shall be conditioned upon prior payment of such compensation and shall not be completed by an enactment of an ordinance, plat amendment, deed, or executive order until all required compensation is paid to the county together with advertising costs for all public notices. Generally, such compensation shall be the fair market value of the land. In appropriate cases compensation may be provided for in part or in whole, through an exchange of land or relocation of streets within an existing subdivision. Where the county's interest in a street is transferred to another public entity for a public use which benefits the county, the council may determine that the benefit to the county from such use is adequate compensation for the land. Where appropriate, county may require conditions precedent such as the installation of landscaping, fencing or other improvements which must be completed or bonded for prior to the transfer of property rights.

(Ord. 1570 § 2 (part), 2005: Ord. 1473 (part), 2001: Ord. 873 (part), 1983: prior code § 10-13-7)

Chapter 14.52 - UNLAWFUL ACTIVITIES AND LIABILITY FOR DAMAGES

Sections:

14.52.010 - Disregard of warning or barricade.

No person shall wilfully fail to observe any barricade, warning light, sign or flagman, warning the public that a highway or portion thereof is restricted or closed to traffic.

(Prior code § 10-10-2)

14.52.020 - Livestock highway use restrictions.

It is unlawful for any person to drive livestock upon the public highways when a livestock highway is available and can be used without undue inconvenience.

(Prior code § 10-11-5)

14.52.030 - Injury to trees on highway—Penalty.

Whoever digs up, cuts down or otherwise injures or wilfully destroys any trees planted and standing on any county highway in conformity to law is guilty of a misdemeanor, and shall also be liable to the owner for treble the amount of damages sustained.

(Prior code § 10-11-2)

14.52.040 - Violation of Class B road use regulations.

No person shall wilfully violate any of the rules and regulations of the county as to the use of Class B roads or traffic thereon, nor shall anyone unlawfully remove, deface or interfere with any road sign, notice, warning or barrier.

(Ord. 1473 (part), 2001: prior code § 10-11-4)

14.52.050 - Liability for damage to highway or structure.

Any person who wilfully or negligently injures or damages any county highway, highway equipment or road sign shall be liable for such damage. The amount of such damage may be recovered in a civil action brought by the attorney in the name of the county.

(Ord. 1473 (part), 2001: prior code § 10-11-3)

14.52.055 - Liability for damage to sidewalk or curb ramp.

Any person who wilfully or negligently injures or damages any county sidewalk or curb ramp shall be liable for such damage. The amount of such damage may be removed in a civil action brought by the county attorney in the name of the county.

(Ord. 1265 § 28, 1994)

14.52.060 - Liability for damages due to illegal operation.

Any person driving any vehicle, object or contrivance upon any county, highway, or highway structure shall be liable for all damage that the highway or structure may sustain as a result of the illegal operation, driving or moving of the vehicle, object or contrivance weighing in excess of the maximum weight specified by law. Whenever the driver is not the owner of such vehicle, object or contrivance, but is operating the same with the express or implied permission of the owner, then the owner and driver shall be jointly and severally liable for the damage. Such damage may be recovered in a civil action brought by the attorney at the request of the public works department.

(Ord. 1473 (part), 2001: prior code § 10-11-1)

14.52.070 - Violation—Penalty.

Where the performance of an act is prohibited or declared unlawful by the provisions of this chapter but no penalty is prescribed for the violation of the provisions, the doing of such an act is declared to be a Class B misdemeanor and punishable as such pursuant to the provisions of Section 1.12.010 of this code.

(1986 Recodification: prior code § 10-11-6)

Chapter 14.56 - SPECIAL EVENTS^[1]

Sections:

Footnotes:

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Editor's note— Ord. No. 1650, § III, adopted June 30, 2009, amended the Code by, in effect, repealing former Ch. 14.56, §§ 14.56.010—14.56.130, and adding a new Ch. 14.56. Former Ch. 14.56 pertained to similar subject matter, and derived from Ord. No. 1219 of 1993; Ord. No. 1352 of 1996; and Ord. No. 1473 of 2001.

14.56.010 - Purpose.

The purpose of this chapter is to establish permit requirements for special events on county streets and sidewalks and on county property. The permit requirements and other regulations in this chapter are designed to balance the public's first amendment right to exercise free speech on county streets and sidewalks and on county property with the public's right to safely and conveniently use county streets and sidewalks and other county property within the unincorporated county.

(Ord. No. 1650, § III, 6-30-2009)

14.56.020 - Application of provisions

This chapter imposes regulatory requirements on certain activities which are held on county streets and sidewalks and on county property, and which are defined as "special events." The requirements imposed by this chapter do not alter, supersede or nullify any requirements contained in other statutes, ordinances or regulations which may also regulate these same activities. These requirements shall be applied in a content-neutral manner and without discrimination as to age, disability, marital status, race, religion, sex, sexual orientation, national origin, political affiliation or other unlawful discriminatory classification.

(Ord. No. 1650, § III, 6-30-2009)

14.56.030 - Definitions.

For the purpose of this chapter, the following words shall have the following meanings:

"Athletic event" means an organized competitive or recreational event in which a group of fifty or more people collectively engages in a sport or form of physical exercise, including but not limited to running, jogging, walking, bicycling or skating, on any county street or sidewalk or upon county property.

"Block party" means an outdoor public party put on by residents of a neighborhood that requires closing down county streets, sidewalks or county property.

"County street" means a public highway (as defined in Section 14.04.120 of this title) within the county, not designated as a state highway, and not including a highway located within an incorporated city or town.

"Entertainment event" means an organized event involving the preplanned participation of more than fifty people, having as its primary purpose the entertainment or amusement of a group of people, including but not limited to parades, carnivals, fairs, concerts, block parties;sub \sub; movie or television film events, or neighborhood gatherings, on any county street or sidewalk in or upon county property.

"Nonpublic forum" means county property that is not designated or traditionally considered a place for public expression or speech. Examples of non-public forums include county offices and employee office space, backstage at a theater, or any other county property that is not designated or traditionally used for public expression or speech.

"Political event" means an organized event involving the preplanned participation of more than fifty people, not including an athletic or entertainment event, having as its primary purpose the exercise of expressive activities of a political nature, including but not limited to speechmaking, picketing, protesting, marching, demonstrating or debating public issues, on any county street or sidewalk or upon county property.

"Protest zone" means an area set aside on county property specifically designated for persons to exercise free speech rights.

"Public forum" means county roads, sidewalks, rights-of-way and county property that has by tradition been used by the public for assembly and expression, or county property that has not traditionally been open for public assembly and debate but that the county has opened for use by the public as a place for assembly and expression.

"Sidewalk" means that area between the curb line and the fence line on either side of a county street and not including a highway located within an incorporated city or town.

"Special event" means any athletic event, entertainment event, political event, or other organized event whether held for profit, nonprofit or charitable purposes.

"Spontaneous event" means an event that is occasioned by news or affairs coming into public knowledge less than forty-eight hours prior to the event and is conducted at a public forum.

(Ord. No. 1650, § III, 6-30-2009)

14.56.040 - Permit required.

- A. It is unlawful for any person, corporation, partnership, association or other entity, public or private, to organize and hold a special event without first obtaining a special event permit and paying the fees as required in this chapter.
- B. It is unlawful for any person, corporation, partnership, association or other entity, public or private, to impede access to, or cause the closure of, any street or sidewalk in association with a special event without first obtaining a special event permit and paying the fees as required in this chapter. Liability under this chapter shall only apply to organizers and shall not extend to participants of a non-permitted event.

(Ord. No. 1650, § III, 6-30-2009)

14.56.050 - Exemptions from permit requirement.

This chapter shall not apply to:

- A. Gatherings, demonstrations, or protests of fifty people or less who gather at a public forum to exercise their constitutionally protected rights under the First Amendment of the United States Constitution.
- B. Special events held at a county-owned facility or on county streets or sidewalks located within an incorporated city or town. When a special event is held at a county-owned facility located within an incorporated city or town, the laws and ordinances of that city or town control the use and scheduling of that special event.
- C. A person, organizer or promoter using a county facility for special events pursuant to a contract with the county. Such contracts shall be in standard form and used in accordance with the regular and normal business purposes of the county facility. Any person, organizer, or promoter using county facilities by contract shall abide by any limitations or requirements set by the municipality in which the county facility is located.
- D. Any meeting or event that is subject to the Utah Open Meetings Act.
- E. A spontaneous event held at a public forum. This chapter does apply to an event held at a nonpublic forum. Organizers of spontaneous events are encouraged to give as much advanced notice as reasonably possible to permit the county to provide services necessary to promote, protect, and assure the safety and convenience of the people in their use of county streets and sidewalks and of county property. Nothing in this subsection shall preclude the county from enforcing other laws, ordinances, or regulations adopted to provide for the health, safety, and welfare of the county and its citizens.

(Ord. No. 1650, § III, 6-30-2009)

14.56.060 - Permits section.

- A. The county mayor shall establish the permits section, to be responsible for coordinating and overseeing the issuance of special event permits, with the assistance of the sheriff, the health department, the engineering division, and any other county agency, division, or department with an interest in a special events permit application.
- B. The permits section shall prepare and distribute checklists and informational materials for use by the public and others regarding the special event permit process. These materials shall be designed to give adequate information regarding special event permits, explain the permitting process, list those county agencies and offices involved in that process, and explain the circumstances in which each agency has a role in issuing a permit.
- C. The permits section shall assist members of the public to apply for and receive special event permits and shall be able to direct persons to those county agencies or employees who have a role in issuing a permit.

(Ord. No. 1650, § III, 6-30-2009)

14.56.070 - Permit—Application procedures.

- A. All applications for special event permits in the unincorporated area shall be made on a special event permit application form and shall include the following information:
 - 1. Type and description of event;
 - 2. Name of the sponsoring entity, contact person, mailing address, email address and telephone number;
 - 3. Name of the promoting entity, contact person, address and telephone number;
 - 4. Proposed date, together with beginning and ending times and road closure times, if any;

5. Proposed location, including barricade plan, traffic detour plan and route map;
 6. Estimated numbers of event staff, security staff, participants and spectators;
 7. Admission fee, donation, or other consideration to be charged or requested;
 8. Signature of applicant; and
 9. If the event is a block party, the applicant must collect and submit with the application form a list of signatures consenting to the street closure from all neighbors whose vehicular access to their property is affected by the street closure.
- B. Special event permit application forms may be obtained from the permits section. Other county agencies, such as parks and recreation, library services, aging services, or other agencies that operate facilities in the unincorporated county shall assist applicants and review applications for events involving their respective facilities.
- C. Applicants are encouraged to submit application forms to the permits section at least thirty calendar days before the event is scheduled to take place, but no later than twenty-one calendar days prior to the event, in order to allow sufficient time to process the application and to allow timely appeal in the event the application is denied. Applications submitted less than twenty-one calendar days prior to the scheduled event may be denied unless the applicant demonstrates to the director of the department of public works that compliance with the twenty-one day deadline was impractical or impossible due to the nature of the event. The county shall review applications filed less than twenty-one days before the event. The county shall approve late applications if:
1. All other requirements have been met,
 2. The county has the ability to evaluate the application in the time provided by the applicant,
 3. The county has sufficient time to prepare for the event to ensure the safety and general welfare of participants and county citizens, and
 4. The application is not for an event (a) requiring a length of road greater than or equal to one mile; or (b) involving a group of more than two hundred people.
- D. Special events that cross or involve multiple governmental jurisdictions are subject to formal authorization from all relevant governing bodies.

(Ord. No. 1743, § II, 2-5-2013; Ord. No. 1650, § III, 6-30-2009)

14.56.080 - Permit—Application processing.

- A. Upon receipt of a special event permit application, the permits section shall circulate copies of the application to the following agencies for the purpose of obtaining their approval or denial of the proposed special event:
1. Salt Lake Valley Health Department;
 2. Salt Lake County sheriffs office;
 3. Salt Lake County parks and recreation division if the special event is to be held at a county park or recreation center;
 4. Salt Lake County public works department, engineering division, if the special event requires the closure of streets or sidewalks; and
 5. Any other county agency or local fire authority that is to provide a service in connection with the special event.
- B. In reviewing an application, the agencies involved shall consider the following:
1. The impact of the special event on the traffic, security, health and safety of the public;

2. A determination by the agency of appropriate and reasonable requirements for the mitigation of traffic, security, health and safety concerns, and an evaluation of the measures proposed by the applicant to satisfy those requirements;
 3. The demonstrated ability of the applicant to comply with the requirements necessary to protect the safety, health and welfare of the public;
 4. The location and duration of the special event and the county's ability to accommodate the event with the necessary resources; and
 5. Other previously approved special events that could cause scheduling conflicts during the same period and cause overextension of the county's resources.
- C. The agencies involved in reviewing an application may impose additional requirements or conditions necessary to protect the public interest by ensuring traffic management, security of property, or the health and safety of the public.
- D. Upon receipt of an application for a special event (a) requiring a length of road of at least one mile; and (b) involving a group of more than two hundred people, the permits section shall by letter notify each affected community council chairman of the proposed special event and include the following information:
1. Type and description of event;
 2. Name of the sponsoring entity; and
 3. Proposed date, together with beginning and ending times and road closure times, if any.

(Ord. No. 1743, § III, 2-5-2013; Ord. No. 1650, § III, 6-30-2009)

14.56.090 - Permit—Fees.

- A. Each initial application for a special event permit shall be accompanied by a nonrefundable fee, set by the council, to defray the administrative costs of processing the application.
- B. In order to promote, protect and assure the safety and convenience of the people in their use of county streets, sidewalks and county property, the sheriffs office shall coordinate the use of professional peace officers if the special event requires traffic control, and an additional fee shall be charged by the sheriffs office to cover the costs incurred. The sheriffs office shall specify the fee required upon its approval of the special event permit application, based upon the number of officers and amount of support equipment required by such factors as: The date and time of the event; the route location and length; the anticipated traffic and weather conditions; the anticipated number of participants and spectators; the nature, composition, format and configuration of the event; and the estimated time for the event. The fee charged for traffic control or additional police protection shall be paid prior to the issuing of the special event permit.
- C. Additional fees may be charged by the Salt Lake Valley health department, the Salt Lake County parks and recreation division or other county agencies for special services, equipment or facilities provided by these agencies. Such additional fees shall be specified at the time the agency approves the special event permit application and shall be paid directly to the agency prior to the issuing of the special event permit.
- D. The following special events shall be exempt from the fees set forth in this section:
1. Political events;
 2. Parades of less than one mile in length;
 3. School events located on, or directly adjacent to, school property;
 4. Events sponsored in whole or in part by the county;
 5. Block parties; and

6. Revenue-raising events where the revenue flows to the direct benefit of county government.

(Ord. No. 1712, § II, 8-2-2011; Ord. No. 1650, § III, 6-30-2009)

14.56.100 - Permit—Approval and denial.

- A. A special event permit application shall be approved and a permit shall be issued to the applicant by the permits section upon approval by all affected agencies and compliance with the requirements of this chapter. The permits section shall notify all affected agencies of all special event permits issued pursuant to this chapter.
- B. The permits section or other applicable agency may deny a permit application for a special event if:
 1. The proposed special event violates a law, ordinance, policy and procedure, or regulation related to the time, place or manner of the proposed special event;
 2. The proposed special event is not consistent with the intended nature and use of the requested county property unless the applicant demonstrates that there is no alternative forum by which the applicant may reach the intended audience with the same intended message.
 3. The proposed special event is scheduled at a place and time that will disrupt the use of an already approved special event permit.
 4. The proposed special event does not provide for adequate adult supervision for minors scheduled to participate.
 5. The proposed location or facility is not adequate to accommodate the proposed special event, or the nature of the event is such that the county does not have sufficient resources available to ensure the health, safety, and welfare of special event participants or the general public.
 6. The application for permit contains a material falsehood or misrepresentation.
 7. The applicant is legally incompetent to contract, or to sue and be sued.
 8. The applicant has an unpaid debt to the county or any law enforcement agency or personnel for prior costs incurred during a prior special event and the applicant has failed to satisfy that debt.
- C. The permits section or an affected agency may condition the issuance of a special events permit on the applicant satisfying conditions. For example, the permits section may require that the applicant provide adequate bathroom facilities, security, or post a bond for clean up or other costs. Any conditions imposed on an applicant should be reasonable and necessary to ensure the health, safety, and welfare of event participants and county citizens.
- D. If the permits section or other agency denies a permit application for a special event, it shall:
 1. Specify in detail the basis for the denial by citing to the law, ordinance, policy and procedure, or regulation justifying the denial, and describe how the special event is not consistent with the cited provision; and
 2. Describe how the burden on free speech, if any, brought about by the denial is necessary to facilitate the county's interest in protecting the health, safety and welfare of county inhabitants.
- E. The permits section, in consultation with other relevant offices or departments, in denying a permit application, may authorize a special event permit at a date, time, location, or route different from that requested by the applicant. An applicant shall notify the permits section that it will accept an alternative permit within three days of receiving notice of the alternative permit, but no later than three days prior to the scheduled special event.
- F. The permits section, in consultation with other relevant offices or departments, shall have the authority to revoke any permit upon violation of the conditions or standards for issuance. The permits section may also revoke a permit in the event of a declaration of emergency.

- G. The county sheriff may disperse a special event that is being conducted inconsistent with the conditions of a special event permit, or if the event is in-violation of any federal, state or local law.

(Ord. No. 1743, § IV, 2-5-2013; Ord. No. 1712, § III, 8-2-2011; Ord. No. 1650, § III, 6-30-2009)

14.56.110 - Protest zones.

- A. Division and department directors are responsible to establish protest zones at county facilities, where appropriate.
 - 1. The need, location and size of protest zones will be established upon consultation and with the approval of the mayor's and district attorney's offices.
 - 2. Protest zones will be established with due care to ensure safe entry to, exit from, and appropriate use of county facilities by patrons and the public.
 - 3. Zones shall generally be located on county-owned property. Protest zones will not be placed in the public right-of-way and may not be placed on municipal or private property unless the owners consent to such use.
- B. Due consideration shall be given to applicable municipal ordinances and requirements and municipal officials shall be consulted regarding protest zones within municipalities.

(Ord. No. 1650, § III, 6-30-2009)

14.56.120 - Permit—Liability insurance and indemnification.

- A. No special event permit shall be issued unless and until the applicant has submitted to the permits section a certificate of insurance, listing county as an additional insured, on an occurrence policy issued by an insurance company authorized to do business in the state, showing comprehensive general liability and property damage coverage for the event with minimum limits of: One million dollars for injury or death for one person in any one occurrence; two million dollars for injury or death for two or more persons in any one occurrence; and one million dollars for property damage in any one occurrence.
- B. The following special events shall be exempt from the insurance requirements set forth in this section:
 - 1. Political events;
 - 2. Parade of less than one mile in length;
 - 3. School events located on, or directly adjacent to, school property;
 - 4. Events sponsored in whole by the county; and
 - 5. Block parties.
- C. In consideration for the issuing of a special event permit and the use of county streets and sidewalks or county property, the applicant agrees to indemnify, save harmless and defend the county, its officers and employees, against any claim for loss, damage or expense sustained by any person on account of injury, death or property damage occurring by reason of or arising out of the special event.

(Ord. No. 1743, § V, 2-5-2013; Ord. No. 1650, § III, 6-30-2009)

14.56.130 - Appeal procedures.

Any permit applicant desiring to appeal an administrative decision to deny an application for a special event permit, or any decision to impose a condition on the issuance of a permit, may petition the director of the department of public works within seven calendar days after the date the applicant received notice of the administrative denial or condition. After reviewing the petition appealing the denial and the written denial, the director of the department of public works shall, within two business days, issue a written decision. If an applicant submits an application within fourteen calendar days of the event, the county will utilize its best efforts to timely process the application and to resolve on an expedited basis any appeals filed.

(Ord. No. 1743, § VI, 2-5-2013; Ord. No. 1650, § III, 6-30-2009)

14.56.140 - Violation—Penalty.

A violation of Section 14.56.040 shall be a class B misdemeanor. Failure to obtain a permit as required by this chapter may also result in enforcement action by the county sheriffs office which may stop an event that has been issued a permit and/or may issue citations where event staff or participants violate other state statutes or county ordinances, including but not limited to traffic rules and regulations, disturbing the peace, public nuisance, failure to disperse, trespass, or other health and safety regulations.

(Ord. No. 1650, § III, 6-30-2009)