

MORGAN CITY, UTAH

YOU, YOUR PROPERTY, AND CITY CODES

THE ROLE OF CODE ENFORCEMENT

Over the years the City has adopted, and continues to adopt and revise Municipal Codes intended to guide development and to maintain the City as a safe, clean, healthy, and attractive place in which to live, work, and visit. The Ordinance Compliance Office was established in 2006 to assist the Sheriff, Fire, Building, Health, and Animal Control Departments promote and support the attainment of these goals. In the spirit of community pride, the City and the Code Enforcement Office hope that by promoting the awareness of the City's Public Health, Safety and Nuisance ordinances, Morgan's citizens will voluntarily and proactively comply. When this does not happen, it is the role of the Code Enforcement Officer to solicit compliance by notifying the property owner of violations, listing actions required to abate the violation(s), and requesting compliance within a specified time period. Only as a last resort will legal action be taken to achieve compliance.

SYNOPSIS OF CODES IMPORTANT TO EVERY CITIZEN

Street Numbers Affixed— Can the ambulance or fire truck find your home or business in an emergency? The City requires that all premises (houses, apartments, businesses, etc.) have permanently attached street numbers. **They must be contrasting in color to their background, be large enough, and be attached in a location that makes them**

clearly visible and legible from the roadway fronting the property. Street numbers on mailboxes are in addition to, and do not exempt one from affixing street numbers to the premises.

Weeds and Organic Debris---- Simply put, weeds are a serious problem in the city due to the large number of undeveloped land parcels, roadways without sidewalks or well-defined edges, irrigation ditches, and the like. Morgan City has a strict weed control ordinance which states, **weeds shall be MAINTAINED at a height of not more than six inches (6") at all times, and cuttings must be promptly cleared and removed from the property.** This applies to both vacant and developed parcels in all zones. It also applies to the park strip between the sidewalk and curb. Piles of organic matter are not permitted as they are both visually offensive and are fire and health hazards. They are a breeding ground for insects, rodents, mosquitoes, snakes, and vermin, and must also be removed. Also keep in mind that it is unlawful for anyone to dump waste or refuse of any kind on a vacant lot or any property owned by another.

Waste Materials and Junk—Does your property look like a junkyard? Items including, but not limited to, partially dismantled or inoperable vehicles and vehicle parts, tires and wheels, old batteries, furniture, tools, cardboard boxes, scrap metal, discarded lumber, concrete chunks, sheetrock or other building materials, old dilapidated and inoperable lawnmowers, snowmobiles, bicycles and toys, washers, dryers, water heaters or other appliances, machinery and machinery parts, or waste materials of any type on your property are defined a junk and need to be removed or stored in inside storage. This applies not only to developed properties, but to vacant lots and development parcels as well.

Abandoned, Inoperable and Unsightly Vehicles---Vehicles which are in a state of disrepair and those which have been out of registration for six months or more must be either removed from the property, stored such that they are out of sight from the street, be reregistered, or be restored per the requirements outlined in Section 4-2-9, "Vehicle Restoration Permit".

Unsightly or Deleterious Structures or Objects---Structures or objects on a property that are unsafe, pose a health or fire hazard, or are unsightly are not permitted and must either be removed from the property or brought into compliance with health, fire, and building codes.

Accessory Structures/Sheds—Before constructing or erecting a shed or accessory building on your lot, check with the Municipal Building Inspector to discuss applicable building codes and lot set-back requirements. You wouldn't want to be told after the fact that your structure is illegal and that it must either be modified, removed, or relocated on your lot.

Refuse Containers---The placement of refuse containers on City streets is limited to the time period beginning 24 hours prior to the day of collection and ending at 10:00 PM on the day of collection. If you will be away during these hours, please make arrangements with a neighbor, friend or family member to assist you in placing and/or removing your refuse container from the street.

Clear View From Driveways, Roadways and Sidewalks---Obstructing the view from a driveway or the view of oncoming traffic at an intersection due to the placement of a fence, wall, hedge, planting, etc. is not permitted. Also, tree branches that overhang city streets must be trimmed to a height of 13'6", while those overhanging

sidewalks must be trimmed to a height of 7' to provide clear passage.

Illegal Parking---**April 1 through October 30**—During these seven months it is unlawful to leave any vehicle, boat, trailer, camper or other item parked on any public road, street or city property for more than forty-eight (48) consecutive hours. **Between November 1 and March 31 parking** on public roads, streets and city properties **is prohibited between the hours of 12:00 midnight and 6:00 AM AND when the removal of snow from the streets is apparent or imminent.** On streets without sidewalks, the area four (4) feet back from the edge of the pavement is considered part of the street. The city has the authority to impound illegally-parked vehicles and to issue parking citations to their owners.

Obstructing Sidewalks or Streets---It is unlawful to obstruct a City sidewalk, crosswalk or street, as typified by parking a vehicle across a sidewalk or placing a basketball stand on the street or sidewalk. Sidewalks and streets may only be blocked with special permission of the City Council to safeguard the health and safety of pedestrians and motorists when improving the same or to provide protection when buildings are in the course of construction.

Sidewalk Snow and Ice Removal---Neither Morgan City or UDOT are responsible for removing snow and ice from City sidewalks. It is the property owner's responsibility to have snow and ice removed from all sidewalks abutting their property as quickly as possible, but no later than twenty-four (24) hours after the end of each snowstorm.

Snow in Streets---When removing snow from driveways and sidewalks, it is illegal to deposit that snow in the street except along the curb where the city snowplow has

deposited accumulations from the street. Furthermore, it is illegal to plow your snow into piles that project beyond the plow line left by the snowplows. These piles can be a hazard to motorists and often freeze into ice piles within a few days. At that point they can cause extensive damage to the snowplows if the plow operator fails to see them when he plows snow during the next storm.

Illegal Signs---A useful, attractive and safe streetscape is one that necessarily includes the regulation of the size, location, design and type of business signs. Most signs require a permit and must be built to strict regulated standards. No signs may be affixed to a utility pole or fence, or be placed within a public right of way. Off-premises signs are not permitted. These typically are small portable signs advertising services that are not performed at the location of the sign(s). Two exceptions are campaign signs during election periods and the billboards along I84 which were built before the sign ordinance was adopted.

Animal Control---Leash Law---It is unlawful for any owner or one who has care or custody of any animal to permit the same to run at large. An animal shall be deemed to be running at large when it is off the owner's property and not under immediate control by means of a durable restraint device, **or an animal on the property of the owner and not securely confined by a leash, building, fenced area or appropriate transport device.**

Animal Control-- The list of regulations pertaining to domesticated animals are too numerous to list in this synopsis of ordinances, and fall under the jurisdiction of the Morgan Animal Control Officer. Exemptions apply to service animals and any animal that is in an agricultural area as designated in the city's land use code and

limited in location to an area where the animal is not likely to cause physical harm, alarm or bother to any person using any public rights of way or other public or private areas where the public has access. **Please refer to Title 5-1-1 through 5-1-17 for these regulations.**

NOTE: ALL MORGAN CITY CODES MAY BE VIEWED IN THEIR ENTIRETY ON THE Morgan City WEBSITE: WWW.MORGANCITYUT.COM

THE NOTIFICATION PROCESS AND CONSEQUENCES OF FAILURE TO ABATE

First and foremost, if you believe you may be in violation of a city ordinance and have not been notified, there is a good chance that you are! Act as a good citizen and steward of your property. Take ownership and perform corrective action on your own initiative, and do it as quickly as possible! Your neighbors and City officials will be grateful.

The Process---Violations are noted by citizen complaints or general inspection. Property owners/tenants are identified and notified of the violation(s) by at least one of several means—in person, with a “door hanger ordinance reminder” by phone, or from a **Notice of Violation** which is hand delivered, left on the premises, or mailed. When a **Notice of Violation** is used, the violation and code reference is listed, and a request for compliance, timeframe, and the action(s) required for abatement are specified. It then becomes the responsibility of the owner/ tenant to remedy the problem within the timeframe specified or one mutually agreed upon with the Code Enforcement Officer. **If you receive a notice, please do not ignore it!** If you have questions or need more than the allotted time to abate the violation, call the

Code Enforcement Officer. The City is more interested in having the corrective actions taken than it is in pursuing legal action. But be advised, the City is prepared to take legal action against those who ignore the notices or just refuse to comply.

Penalties for Refusal to Correct (Abate) Code Violations---Violations fall into two categories, those subject to forfeiture of bail, i.e., where one has the option of paying a fine in lieu of appearing in court, and those that require an appearance before the Morgan City Justice Court. Short-term violations such as parking, obstructing sidewalks, snow removal or plowing snow in the street, and refuse container violations, as well as failure to number your building, are punishable by a fine in lieu of a court appearance. Fines increase with each cited violation, until a mandatory appearance before the Morgan City Justice Court is required.

Longer-term violations, such as the accumulation of junk, abandoned or junk vehicles, weeds and organic matter, building violations, clear-view violations, and the like, follow a process of notification and requests for correction using **Notices of Violation**. If left uncorrected, the result will be legal action by the Morgan City Justice Court, including, but not limited to abating the violation on the property at the owner's expense, and/or filing a Class B or C Misdemeanor. Each day the violation is committed or permitted to continue shall constitute a separate violation.

PROMPT VOLUNTARY COOPERATION AND ABATEMENT OF VIOLATIONS WITHIN REQUESTED TIME PERIOD(S) is the goal of the City and compliance officials.

IF YOU FEEL YOU ARE NOT IN VIOLATION--WHAT ARE YOUR OPTIONS?

Perform the remedial action requested anyway. Your property will, at the very least, be more attractive and appealing to anyone who views it.

Read the Code. City Codes are located on the Morgan City website, www.morgancityut.com under **Online Codes**. The City Code Book is also available at the City Office located at 90 West Young Street and may be viewed there.

If you still feel you are not in violation, need further explanation, have questions, need more time to comply, or have a hardship situation that will delay compliance, call the City office at 801-829-3461 or the number provided on the notice, and ask to speak to the named officer.

YOUR RIGHT TO A CIVIL APPEAL

Within ten (10) calendar days of receiving a NOTICE OF VIOLATION under section 4-2-18 of the City Code, **the owner, or any other person aggrieved by the notice, may request a hearing before the Board of Adjustment in writing.** The board will schedule and hold a hearing to sustain, modify or reverse the action set forth in the notice. The appropriate action will depend on the Board's decision.

IN THE SPIRIT OF COMMUNITY PRIDE--The City Council hopes you will view this document in the spirit with which it was written, that of promoting a sense of spirit and pride in our community, and not as a means for controlling how we are to live our lives. We ask everyone's help in making Morgan City an even more highly desirable city in which to live, work, visit, and recreate.