

The City of Washington Terrace, Utah  
Ordinance 2014-05 – Inspection and Cleaning Amended

**CITY OF WASHINGTON TERRACE  
ORDINANCE NO.14-05**

**INSPECTION AND CLEANING AMENDED**

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE, UTAH, AMENDING CHAPTER 8.16 OF THE WASHINGTON TERRACE MUNICIPAL CODE ENTITLED “INSPECTION AND CLEANING” FOR THE PURPOSE OF AMENDING SECTION 8.16.040 ENTITLED “NUISANCE DECLARED”; SEVERABILITY; PROVIDING AN EFFECTIVE DATE**

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

**WHEREAS**, *Utah Code Annotated* §§ 10-8-84 and 10-8-60, 1953, as amended, allows the City to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

**WHEREAS**, *Utah Code Annotated* §10-11-1, et seq, authorizes the City to conduct inspection and cleaning of certain property and nuisances;

**WHEREAS**, the Planning Commission held its public hearing on April 24, 2014, on this Ordinance and gave a favorable recommendation to the Council;

**WHEREAS**, the City Council received the recommendation of the Planning Commission at its regular meeting on May 6, 2014, and now desires to act on this Ordinance;

**NOW, THEREFORE**, be it ordained by the City Council of the City of Washington Terrace, Utah, as follows:

**Section 1: Repealer.** Chapter 8.16 , section 8.16.040 of the *Washington Terrace Municipal Code* is hereby repealed in its entirety.

**Section 2: Re-enactment.** Chapter 8.16 , section 8.16. 040 of the *Washington Terrace Municipal Code* is hereby re-enacted to read as follows:

**Chapter 8.16  
INSPECTION AND CLEANING**

**8.16.040. Nuisance declared.**

**8.16.040. Nuisance declared.**

The following objects, acts, or conditions along with any resulting condition, are hereby declared to be nuisances in violation of this chapter and subject to the penalties provided herein:

1. Conditions that create a possible fire hazard.
2. Unlawful pollution or environmental degradation, or anything rendering the soil, air, water, or food to be impure or unwholesome.
3. Conditions that harbor or attract rodents, insects, disease, or other forms of life deleterious to human habitation.
4. Deleterious surroundings and structures in violations of local codes.
5. Allowing or causing to keep, deposit, dump, burn, bury or allow to exist any unsightly or injurious objects, structures, junk, discarded or unused objects or equipment, nuisance vehicles, noxious weeds, grass over six (6) inches in growth, ~~or~~ neglected landscaping, any dry or parched landscaping or lawn, failure to maintain any lawn or landscaping including the adequate watering of the same.
6. To allow vegetation, waste, garbage, litter, filth, refuse, feces, or manure to accumulate within or upon any property, except where it is scheduled for immediate removal.
7. To discharge or dump liquid waste, hazardous waste, or refuse of any kind into any street, road, sidewalk, gutter, stream, drain, pipe, wash, natural water course, ditch, canal, lot, or other property.
8. To obstruct any watercourse, storm drain, or pipeline.
9. To permit any garbage container to remain on a premise when it has become unclean, offensively putrescent, or overflowing.
10. To block, obstruct, or interfere with access or use of city streets, sidewalks, easements, or right-of-ways without an encroachment permit from the city.
11. Any condition or object that may cause immediate and irreparable harm to a person or endanger public health and safety.
12. The accumulation of animal waste products.
13. Any unkept, offensively putrescent, or filthy stable, stall, corral, feed yard, or in any other structure or area where animals are kept.
14. Allow to be kept or collected any putrid grease, vegetable matter, rotting substance, or other similar matter on any premises.
15. Dumping, disposal, or handling of grease, oils, fats, or substance in any manner that may result in any pollution, clog, or damage to any sewer system, storm water system, or the environment.
16. To have or permit upon any condition that creates unnecessary stagnant water, or unnecessarily fosters flies, mosquitos, or rodents.
17. To pollute or render fowl water in any spring, stream, well, or other water supply. Including any action or inaction that may jeopardize or harm a public or private water system, including a drinking fountain.

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18. Create or allow a condition or object that may detrimentally affect any sanitary sewer line or system, septic system, or other waste collection system. Including any action or inaction by an owner that may result in any overflow, system failure, or other potential public or environmental hazard relating to sewer.
19. To allow any property or project to hold any decaying material, hazardous material, explosives, or offensive substances.
20. To plant or maintain any tree or vegetation that may enter or damage any storm drain, field or land drain, or sewer systems, or cause heaving or other damage to any sidewalks, curbs, gutters, or streets. Including overhanging trees, branches, or vegetation in violation of the Manual on Uniform Traffic Control Devices (MUTCD), American Association of State Highway and Transportation Officials (AASHTO) standard, the landscaping regulation set forth in Section 17.44.200 of the municipal code, or other applicable code.
21. To plant or maintain trees or vegetation which obstruct the clear view of traffic, traffic signs, fire hydrants, utilities, public right-of-ways, sidewalks, curbs, and intersection corner property sight triangles specified in the land use ordinance.
22. To fail to properly keep adjoining public sidewalks clear of snow and any other obstruction.
23. To put or cause to have put snow, ice, leaves, litter, dirt, debris, or other refuse into the public right-of-way.
24. To operate a business within the city without obtaining the appropriate city business license, along with any required state license and tax identification numbers.
25. Failure to control and prevent back-flow and eliminate all cross connections between any auxiliary water source and the city's culinary water systems.
26. Failure to install, maintain, control, back-flow devices for any sewer and/or water system.
27. Failure to immediately stop and repair any culinary water, secondary water, or sewer line break.
28. Leaving fuel, flammable material, or similar material open and accessible to children or creating an attractive nuisance condition.
29. Failure to park any vehicles, motor home, fifth-wheel, trailer, water craft, recreational vehicle, and axle driven devices on a solid surface type material such as asphalt or concrete. The solid surface area must also cover the full size of the vehicle where such vehicle is parked. Nuisance under this part are exempt where granted a winter parking exemption in the municipal code under Section 10.16.030 so long as the required spring restoration of the soft surface is completed as provided in the municipal code. Failure to make spring restoration of soft surface under this part is a nuisance under this chapter.
30. Failure to park or place any vehicle, trailer, or equipment at least three feet behind the sidewalk and nine feet behind curb where no sidewalk exists.
31. Failure to install or maintain any toilet, sink, plumbing, or sewer facility in accordance the applicable international building codes, or regulations of the Weber-Morgan Health Department.

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32. Failure to comply with the International Property Maintenance Code (IPMC), which regulates the conditions and maintenance of all property, buildings and structures, such as fences, roofs, siding, and otherwise.
33. Any construction activities on any property without the proper permits.
34. Allowing or keeping any abandoned appliances, furniture, furnishings, or containers outside on any property.
35. Keeping any appliance or device accessible to children that may be airtight and contain a lid, lock, or door device which may not be released from the inside.
36. Failure to keep or maintain landscaping or storm water basin required on an approved site plan.
37. Parking any motor home, fifth-wheel, trailer, water craft, or recreational vehicle property used for residential purposes for more than forty-eight (48) hours. Allow any such vehicle described in this part of park on the public right-of-way or within 3 feet of the sidewalk.
38. To allow any basketball standard, other recreation device, or equipment of any kind to obstruct or interfere with any street, sidewalk, curb, or gutter.
39. To hold, park, keep, operate, maintain, or keep any nuisance vehicle or abandoned vehicle where there is no valid temporary permit.
40. Burning of any kind without a valid burn permit.
41. To permit or cause to keep, deposit, dump, bury, or allow to exist any unsightly or injurious objects, structure, junk, discarded or unused objects or equipment, equipment, noxious weeds, grass over six (6) inches in height.
42. Parking or keeping any commercial vehicle or commercial activity in a residential zone or without a valid site plan in a commercial zone.
43. Operating a business without a valid business license.
44. Overnight parking of any commercial vehicle over 10,000 gross vehicle weight on any city street, sidewalk or municipal property.
45. Keeping or harboring excessive animals, stray animals, or any animals in violation of Title 6 of the municipal code.
46. Overnight parking of any vehicle, trailer, or similar devices on any municipal property, park area, or at any park parking lot. Any other activity that causes a violation of Section 12.06.040 of the municipal code.

**Section 3: Severability.** If a Court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

**Section 4: Effective date.** This ordinance take effect immediately after approval and posting.

PASSED AND APPROVED by the City Council this 6 day of May , 2014.

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\_\_\_\_Signature on file\_\_\_\_\_

MARK C. ALLEN, Mayor,  
City of Washington Terrace

ATTEST:

\_\_\_\_Signature on file\_\_\_\_\_

AMY RODRIGUEZ, City Recorder