

SANTAQUIN CITY  
ORDINANCE 10-04-2021

AN ORDINANCE AMENDING THE SANTAQUIN CITY CODE TO PROVIDE APPROPRIATE REGULATIONS REGARDING PARKING AND USE OF MOTOR VEHICLES ON PUBLIC PROPERTY, PROVIDING FOR CODIFICATION, CORRECTION OF SCRIVENER'S ERRORS, SEVERABILITY, AND AN EFFECTIVE DATE FOR THE ORDINANCE.

WHEREAS the City of Santaquin is a fourth-class city of the State of Utah; and

WHEREAS, the state legislature has granted general welfare power to the City Council, independent, apart from, and in addition to, its specific grants of legislative authority, which enables the city to pass ordinances which are reasonably and appropriately related to the objectives of that power, i.e., providing for the public safety, health, morals, and welfare; and

WHEREAS, the state legislature has also granted power to local municipalities to establish ordinances for the control of vehicular traffic on property that belongs to, or is controlled by, the state school board, an LEA governing board, an area vocational center, or the Utah Schools for the Deaf and the Blind when a request for such regulations is made by a responsible board of education or institutional council; and

WHEREAS, Santaquin City received a request from the Nebo School District Board requesting that the City institute regulation of traffic and unwanted behavior on school district owned lands; and

WHEREAS, Santaquin City has determined that fulfilling the request of the Nebo School District Board will reasonably serve to provide increased public safety and welfare within the community;

NOW THEREFORE, be it ordained by the City Council of Santaquin City, in the State of Utah, as follows:

**SECTION I. Title 6 Motor Vehicles and Traffic Amendments**

**Title 6 is amended to include Chapter 6.24 Traffic at Public Schools, which shall read as follows:**

**6.24 Traffic at Public Schools**

**6.24.010 Improper Use of Vehicles Near Public Schools.**

It shall be unlawful and a violation of this Chapter for any person to drive, park or operate in any manner a vehicle on any school premises or any street, sidewalk or public way adjacent thereto for the purpose of inducing, enticing or inviting any student or employee of such school into or upon such vehicle for any unlawful purpose. Violators of this Chapter shall be subject to provisions of Title 1.10.016 and the Uniform Fine Schedule as amended from time to time.

**SECTION II. Title 7 Streets, Sidewalks and Public Ways Amendments**

Chapter 7.04.090 Parking of Vehicles and Equipment on Publicly Owned Property is amended as follows: (Underlined text is added, stricken text is deleted)

- A. Parking for Sale. It shall be ~~an infraction~~ unlawful for the owner of a motor vehicle, camper, trailer, boat, or other type of vehicle or equipment to park it or allow it to be parked on a publicly owned property, excluding road right-of-ways, for the purpose of displaying it for sale. ~~Vehicles or equipment in violation of this provision shall be towed at the owner's expense.~~
  
- B. It shall be unlawful and a violation of this Chapter for any person to park or leave unattended any unauthorized vehicle, camper, trailer(s) or other means of transportation or conveyance upon property owned by the city during non-business hours or times while the property and associated grounds are not utilized for authorized public functions or activities. This regulation shall also apply to properties owned by other government entities if such entity has submitted a written request for City enforcement aid. These regulations are not intended to apply to parking and storage of vehicles and equipment upon public rights-of-way or streets as otherwise regulated in Section 7.04.100 and specified elsewhere in Santaquin City Code.
  
- C. Penalties. ~~Vehicles or equipment in violation of this Chapter shall be towed at the owner's expense and the vehicle or equipment owner(s) shall be subject to penalties provided in Title 1.16.010 and the Uniform Fine Schedule.~~

### **Section III. Contrary Provisions Repealed.**

All provisions of the Santaquin City Code that are contrary to the provisions of this Ordinance are hereby repealed.

### **SECTION IV. Codification, Inclusion in the Code, and Scrivener's Errors**

It is the intent of the City Council that the provisions of this ordinance be made part of the City Code as adopted, that sections of this ordinance may be re-numbered or re-lettered, that the word ordinance may be changed to section, chapter, or other such appropriate word or phrase to accomplish such intent regardless of whether such inclusion in a code is accomplished. Sections of the ordinance may be re-numbered or re-lettered. Typographical errors which do not affect the intent of this ordinance may be authorized by the City without need of public hearing by its filing a corrected or re-codified copy of the same with the City Recorder.

### **SECTION V. Severability.**

If any part of this ordinance or the application thereof to any person or circumstances shall, for any reason, be adjudged by a court of competent jurisdiction to be unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance or the application thereof to other persons and circumstances, but shall be confined to its operation to the section, subdivision, sentence or part of the section and the persons and circumstances directly involved in the controversy in which such judgment shall have been rendered. It is hereby declared to be the intent of the City Council that this section would have been adopted if

such invalid section, provisions, subdivision, sentence or part of a section or application had not been included.

**SECTION VI. Effective Date.**

This ordinance shall become effective at 5:00 p.m. on Wednesday, October 6<sup>th</sup>, 2021. Prior to that time, the City Recorder shall deposit a copy of this ordinance in the official records of the City and place a copy of this ordinance in three places within the City.

PASSED AND ADOPTED this 5<sup>th</sup> day of October, 2021.



A handwritten signature in blue ink, appearing to read "Kirk Hunsaker", written over a horizontal line.

Kirk Hunsaker, Mayor

Councilmember Nick Miller	Voted <u>yes</u>
Councilmember Elizabeth Montoya	Voted <u>yes</u>
Councilmember Lynn Mecham	Voted <u>yes</u>
Councilmember Jennifer Bowman	Voted <u>Absent</u>
Councilmember David Hathaway	Voted <u>Absent</u>

ATTEST:

K. Aaron Shirley  
K. Aaron Shirley, City Recorder





**OFFICE OF ADMINISTRATION**

350 SOUTH MAIN STREET ■ SPANISH FORK, UTAH 84660  
PHONE (801) 354-7426 ■ FAX (801) 798-4010

**RICHARD C. NIELSEN**  
Superintendent

**BOARD OF EDUCATION**  
Shannon M. Acor ■ Rick B. Ainge  
Randy Boothe ■ Scott P. Card  
Christine Riley ■ Lisa H. Rowley  
R. Dean Rowley

**SUPERINTENDENT**  
Richard C. Nielsen

**BUSINESS ADMINISTRATOR**  
Michael Harrison

**SCOTT WILSON**  
Assistant Superintendent

December 15, 2020

Kirk Hunsaker, Mayor  
Ben Reeves, City Manager  
Rod Hurst, Police Chief  
Santaquin City  
275 West Main Street  
Santaquin, UT 84655

**RE: ENFORCEMENT OF TRAFFIC AND CRIMINAL LAWS ON  
NEBO SCHOOL DISTRICT PROPERTIES IN SANTAQUIN CITY**

Dear Mayor Hunsaker:

Pursuant to *UTAH CODE ANNOTATED, §53G-8-604*, Nebo School District hereby grants authorization to Santaquin City to enforce all applicable traffic and criminal laws and ordinances on all Nebo School District properties located within the boundaries of Santaquin City.

Currently, Nebo School District has three properties located in Santaquin City, to wit:

- Apple Valley Elementary School, 105 East 770 North, Santaquin, Utah
- Orchard Hills Elementary School, 168 East 610 South, Santaquin, Utah
- Santaquin Elementary School, 25 South 400 West, Santaquin, Utah

Please contact me should you have any questions or concerns. Thank you for your assistance in this matter.

Sincerely,

NEBO SCHOOL DISTRICT

Richard C. Nielsen  
Superintendent

cc: Reed B. Park, District Legal Counsel  
Matt Gledhill, Director of Operations  
Chad Argyle, Principal, Apple Valley Elementary School  
Keri Huntsman, Principal, Orchard Hills Elementary School  
Ien Richins, Principal, Santaquin Elementary School