

Ordinance 2023-30

SHORT TITLE:

AN ORDINANCE AMENDING PROVO CITY CODE TO EXPAND PROHIBITIONS ON DEPOSITING MATERIALS ON SIDEWALKS AND STREETS AND TO REGULATE STREET PARKING OF RECREATIONAL VEHICLES, BOATS, AND TRAILERS. (23-054)

I  
PASSAGE BY MUNICIPAL COUNCIL

ROLL CALL


DISTRICT	NAME	FOR	AGAINST	OTHER
CW 1	KATRICE MACKAY	✓		
CW 2	DAVID SHIPLEY	✓		
CD 1	BILL FILLMORE			Excused
CD 2	GEORGE HANDLEY	✓		
CD 3	SHANNON ELLSWORTH	✓		
CD 4	TRAVIS HOBAN	✓		
CD 5	RACHEL WHIPPLE	✓		
TOTALS		6	0	

This ordinance was passed by the Municipal Council of Provo City, on the 18<sup>th</sup> day of July 2023, on a roll call vote as described above. Signed this 17th day of August 2023.

  
Chair

II  
APPROVAL BY MAYOR

This ordinance is approved by me this 23 August 2023.

  
Mayor

Ordinance 2023-30

III

CITY RECORDER'S CERTIFICATE AND ATTEST

This ordinance was signed and recorded in the office of the Provo City Recorder on the 24th day of August 2023 and was published on the Utah Public Notice Website on the 19<sup>th</sup> day of July 2023. I hereby certify and attest that the foregoing constitutes a true and accurate record of proceedings with respect to Ordinance Number 2023-30.



A handwritten signature in cursive script, reading "Heidi Allman", is written over a horizontal line.

City Recorder

ORDINANCE 2023-30

AN ORDINANCE AMENDING PROVO CITY CODE TO EXPAND PROHIBITIONS ON DEPOSITING MATERIALS ON SIDEWALKS AND STREETS AND TO REGULATE STREET PARKING OF RECREATIONAL VEHICLES, BOATS, AND TRAILERS. (23-054)

WHEREAS, it is proposed the Provo City Code be amended to expand and clarify restrictions on depositing materials on streets and sidewalks and to further regulate the parking of recreational vehicles, boats, and trailers on city streets.

WHEREAS, on July 18, 2023, the Municipal Council met to ascertain the facts regarding this matter and receive public comment, which facts and comments are found in the public record of the Council's consideration; and

WHEREAS, after considering the facts and comments presented to the Municipal Council, the Council finds (i) Provo City Code should be amended as described herein and (ii) the proposed amendment reasonably furthers the health, safety and general welfare of the citizens of Provo City

NOW, THEREFORE, be it ordained by the Municipal Council of Provo City, Utah, as follows:

PART I:

Provo City Code Section 9.15.230 is hereby amended as set forth in Exhibit A.

PART II:

Provo City Code Section 9.31.055 is hereby enacted as set forth in Exhibit B.

PART III:

- A. If a provision of this ordinance conflicts with a provision of a previously adopted ordinance, this ordinance shall prevail.
- B. This ordinance and its various sections, clauses and paragraphs are hereby declared to be severable. If any part, sentence, clause or phrase is adjudged to be unconstitutional or invalid, the remainder of the ordinance shall not be affected thereby.
- C. The Municipal Council hereby directs that the official copy of the Provo City Code be updated to reflect the provisions enacted by this ordinance.
- D. This ordinance shall take effect immediately after it has been posted or published in accordance with Utah Code 10-3-711, presented to the Mayor in accordance with Utah Code 10-3b-204, and recorded in accordance with Utah Code 10-3-713.

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48 END OF ORDINANCE.

Exhibit A

**9.15.230      Depositing Material on Streets Prohibited.**

(1) It shall be unlawful for any person to throw, cast, put into, drop or leave in any street, gutter, sidewalk or public place any stones, gravel, sand, coal, dirt, manure, garbage, leaves, lawn or hedge clippings, ~~or rubbish of any kind~~ or any other obstruction which shall render such highway or sidewalk unsafe or unsightly or shall interfere with travel thereon.

(2) Any person violating Subsection (1) of this Section shall be civilly liable for the cost of cleaning the subject street, gutter, sidewalk, or public place. Criminal proceedings under Subsection (1) of this Section shall not be a condition precedent to a civil claim under this Subsection (2) of this Section. Provo City may bring a claim under this Subsection if it cleans the subject property.

## Exhibit B

### **9.31.055 Using Streets for Parking of Recreational Vehicles, Trailers, and Boats.**

(1) It is unlawful for any person to park a recreational vehicle, trailer, boat, or similar conveyance whether attached or unattached to a motor vehicle, upon any public street or alley for more than seventy-two (72) consecutive hours. Any of the above which are moved from a parking spot and then reparked on the same block face within seventy-two (72) hours from the time of said removal shall be deemed to have been continuously parked. For purposes of this section, the term “block face” shall have the same meaning as in Section 14.06.020.

(2) Notwithstanding Subsection (1), a person may park a recreational vehicle, trailer, boat, or similar conveyance on a public street or alley for longer than seventy-two (72) consecutive hours if, and only if, the following conditions are met:

- (a) The person is in possession of a valid permit issued by the Parking Services Division in accordance with subsection (3);
- (b) It is parked in a manner that is in compliance with all City and State laws and statutes. Trailers, boats, or vehicles found in violation may be subject to citations and the permit may be revoked;
- (c) It is parked in front of a property/dwelling/residence that the permit holder owns or rents or is owned or rented by someone the permit holder is visiting; and
- (d) The trailer, boat, or vehicle is not lived in or used as a dwelling during the time it is parked.

(3) A permit issued for a recreational vehicle, trailer, boat, or similar conveyance:

- (a) May only be requested by, and issued to, the registered owner of the trailer, boat, or vehicle, or an applicant with a notarized power of attorney from the registered owner;
- (b) May not be issued for a period in excess of seven (7) days;
- (c) Shall specify the location and the trailer, boat, or vehicle to which it pertains, the date and time permitted parking may begin, and the date and time the permit expires;
- (d) Is valid only for the trailer, boat, or vehicle, the location, and the times specified;
- (e) May not be issued with respect to the same trailer, boat, or vehicle more than six (6) times within any twelve (12) month period;
- (f) May not be issued for any period that commences less than seventy-two (72) hours after a previous permit for the same trailer, boat, or vehicle has expired; and
- (g) May be revoked for abuse, misuse, ineligibility, or other good cause.

(4) For purposes of this Section, the terms “boat,” “recreational vehicle,” and “trailer” shall have the same meaning as in Provo City Code Section 14.06.020.