TITLE 7

CHAPTER 4

MUNICIPAL PROPERTY; USE AND CONTROL

SECTION:

7-4-1:   Use and Control

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A.   Unlawful Use: Unless authorized by permit or other written authorization issued by the city, or unless authority is granted by provisions of this code or other ordinance of the city, now or hereafter enacted, it shall be a Class B Misdemeanor and, upon conviction, subject to penalty as provided in section 1-4-1 of this code, for any person to: (Utah State Code Annotated, 2005 Code)

1.   Property Controlled By City: Construct, lay, excavate, erect, operate or maintain over, under, across, in or through any property owned or controlled by the city, any utility, canal, ditch, construction or building.

2.   Restricted Areas: Enter upon any property of the city contrary to any posting or marking restricting or prohibiting use of the area.

3.   Damage To Property: Intentionally use or perform acts upon property of the city which materially impairs, alters or damages the property. (Utah State Code Annotated)

B.   Repair after Unlawful Use: The city council, in addition to any other penalty which may be imposed, may order any person who has damaged, altered or changed any property of the city to repair or restore the property to its original condition prior to the damage, alteration or change. (Utah State Code Annotated)

C.   Franchise; Easement:

1.   Provisions: The city council may grant to any person a franchise or easement on such terms and conditions as it deems reasonable, for the purpose of entering upon, constructing, building, operating and maintaining any business or for other use of the property of the city, and the provisions of subsections A and B of this section shall not apply to the extent such provisions are waived, qualified or made inapplicable to the rights or privileges granted in the franchise ordinance or easement.

2.   In Writing: Any franchise or easement granted by the city shall be in writing and any franchise or easement not in writing shall be void. (Utah State Code Annotated)

D.   Acts Exempted: It shall not be a violation of this section where any person uses the public property of the city in the manner or for the purpose for which such property has been made available for public use. (Utah State Code Annotated)