

Title 8

HEALTH AND SAFETY

Chapters:

- 8.04 Garbage and Solid Waste
- 8.08 Nuisances
- 8.12 Fire Protection
- 8.16 Public Assemblies

Chapter 8.04

GARBAGE AND SOLID WASTE

Sections:

- 8.04.010 Definitions.
- 8.04.020 Unlawful to dump garbage.
- 8.04.030 Accumulation of waste material prohibited.
- 8.04.040 Complaints.
- 8.04.050 Inspections.
- 8.04.060 Violations--Penalties.
- 8.04.070 County dump property rights.

8.04.010 Definitions.

As used in this chapter:

“Community waste” means lawn cuttings, clippings from bushes or shrubs, leaves, tin cans, newspapers, magazines and cardboard boxes.

“Garbage” means swill and all animal, vegetable and food refuse from kitchens or residents, hotels, cafes, restaurants, and places where food is prepared for human consumption.

“Refuse” means combustible trash, including but not limited to paper, cartons, boxes, bedding and noncombustible trash including but not limited to metal, tin cans, metal furniture, pieces of concrete, glass, crockery, automobile parts and other mineral wastes.

Any other words used, unless having special connotation, will be construed in the normal and ordinary sense, in accordance with the normal parlance in so far as possible. (Ord. 163 § 1, 1983: Ord. 152 § 1, 1981)

8.04.020 Unlawful to dump garbage.

It is unlawful for any person, association, corporation, fraternity, religious order or any group or single person, whether a legal entity or not, to dump, put, place or abandon any common waste, gar-

bage, market waste, trade waste, organic material, refuse, building materials, machinery, equipment, automobiles, furniture, junk or waste of any nature or to dump, put, place or deposit upon any private property, any of the above items without the consent of the owner. And even though consent is obtained, if the materials placed upon the property have a tendency to become obnoxious, attract rodents, become a nuisance, or a danger to the health, welfare, peace or safety, or which annoys the repose of any party, that the property, shall be immediately, as soon as physically feasible under the circumstances, covered or conditioned in such a manner as to remove the objectional features of the materials deposited. (Ord. 163 § 2, 1983: Ord. 152 § 2, 1981)

8.04.030 Accumulation of waste material prohibited.

A. All garbage, market waste, manure and refuse not collected and hauled away in regular garbage and refuse collections must be hauled away at the expense of the owners or occupants of the premises where in such materials are produced to a permitted landfill.

B. It is unlawful for any person to allow garbage, market waste, trade waste, manure or other refuse to accumulate upon premises under his or her control or fail to remove same within the time specified by the zoning administrator or his or her authorized representative(s).

C. It is unlawful for any person to cause or permit junk, scrap metal, scrap lumber, discarded building material, or any abandoned vehicles or vehicle parts or other waste material to accumulate in or upon any yard, garden, lawn or premises unless in connection with a business enterprise, lawfully situated and licensed for the same.

D. It is unlawful for any person to store or leave outside any unattended or discarded ice box, refrigerator, or other container without first removing therefrom any door attached thereto, or securing the same in such a fashion so as to prevent unauthorized entry.

E. It is the duty of each and every owner, agent or lessee of any lot or tract of ground to cut to the ground all weeds and brush and to keep such growth down on each lot or tract of ground, on or along any street or avenue adjoining the same between the property line and the curblineline thereof, or on or along any alley adjoining the same between the property line and the center of such alley; provided however, that such prohibition shall not apply to lands primarily agricultural in nature, except the owners of such lands shall be required to keep weeds down between the property line of such land and the center of any right-of-way and shall be required to keep the weeds down within twenty (20) feet of any subdivision or area that is being kept weed-free. (Ord. 254 § 2, 1994; Ord. 198 (part), 1988; Ord. 163 § 3, 1983; Ord. 152 § 3, 1981)

8.04.040 Complaints.

It shall be the duty of the zoning administrator or his or her authorized representative(s) to answer and investigate all complaints and when necessary in the reasonable exercise of his or her judgment to declare the unsanitary condition of public nuisance, if such is in violation of the above section. (Ord. 198 (part), 1988; Ord. 163 § 4, 1983; Ord. 152 § 4, 1981)

8.04.050 Inspections.

If an inspection reveals that any of the aforementioned conditions exist, the name of the owners and occupants of the premises shall be obtained. Notice in writing shall be served upon the owner

and/or the occupant either personally or by certified mail, requiring that the nuisance be abated and all objectionable items removed. The abatement time period shall be according to the reasonable discretion of the zoning administrator or his or her authorized representative(s). (Ord. 198 (part), 1988: Ord. 163 § 5, 1983: Ord. 152 § 5, 1981)

8.04.060 Violations--Penalties.

Any person who violates any provision of the above sections shall, upon conviction be punished by a fine of not more than one thousand dollars (\$1,000.00) and each day's failure to comply shall constitute a separate violation. (Ord. 329 § 5, 2000; Ord. 163 § 6, 1983: Ord. 152 § 6, 1981)

8.04.070 County dump property rights.

A. All articles and items, of every kind, whether reusable or reclaimable or not, become the property of Grand County when placed in the area designated as the Grand County Dump and no property rights shall exist for any other person in such articles and items.

B. Penalty for Removal. Any person found removing any item from the dump will be charged with the crime of theft as provided in Title 76, Section, Utah Code Annotated, 1953 as amended. (Ord. 191 Arts. I, II, 1987)

Chapter 8.08

NUISANCES

(Reserved)

Chapter 8.12

FIRE PROTECTION

Sections:

- 8.12.010 Uniform Fire Code.
- 8.12.020 Fire protection district created.
- 8.12.030 Property tax.
- 8.12.040 Compliance with state provisions.
- 8.12.050 Trustee appointment.

8.12.010 Uniform Fire Code.

All development shall comply with applicable requirements of the 1994 Uniform Fire Code and to amendments as may be adopted by the Moab Valley Fire Protection District. (Ord. 305 Exh. A § 3, 1999)

8.12.020 Fire protection district created.

There is established and created under Chapter 29, Title 17, Utah Code Annotated 1953, as amended, the Grand County Service Area for Castle Valley Fire Protection District, which district shall include all the areas being within Grand County, state of Utah, and described as follows:

The exterior perimeters of the following described areas are:

Township 24 South, Range 23 East, SLB&M, Sections 2, 10, 11, 12, 14, 15, 16, 20, 21, 22, 27 and 30.

Township 24 South, Range 22 East, SLB&M, Sections 25.

Township 25 South, Range 23 East, SLB&M, Sections 6, 7, 8, 9, 15, 16, 17, 18, 20, 21, 22, 23, 26, and 35.

Township 25 South, Range 22 East, SLB&M, Sections 1 and 12.
(Ord. 147 § 1, 1981)

8.12.030 Property tax.

The services are to be paid for by a property tax. (Ord. 147 § 2, 1981)

8.12.040 Compliance with state provisions.

All functions, activities and responsibilities of the Grand County Service Area for Castle Valley Fire Protection District shall be performed and carried out in accordance with and subject to the provisions of Chapter 29, Title 17, Utah Code Annotated, 1953, as amended, and other applicable law. (Ord. 147 § 3, 1999)

8.12.050 Trustee appointment.

The Grand County council has determined that the interest of the service area would best be served by the appointment of trustees to serve for terms of two, four and six years from the first Monday in January next following their appointment. (Ord. 147 § 4, 1981)

Chapter 8.16

PUBLIC ASSEMBLIES

Sections:

8.16.010 Purpose and intent.

8.16.020 Definitions.

- 8.16.030 Exemptions.
- 8.16.040 License required.
- 8.16.050 License application generally.
- 8.16.060 Separate license required when.
- 8.16.070 License application and contents.
- 8.16.080 Issuance conditions.
- 8.16.090 Revocation.
- 8.16.100 Enforcement.
- 8.16.110 Violation--Penalty.

8.16.010 Purpose and intent.

A. It is the purpose of Grand County, state of Utah, to regulate the assemblage of large numbers of people, in excess of those normally needing the health, sanitary, fire, police, transportation, and utility services regularly provided in Grand County in order that the health, safety and welfare of all persons in Grand County, residents and visitors alike, may be protected.

B. It is the intent that all sections and provisions of this chapter have an independent existence, and should any section or provisions be declared invalid or unconstitutional by a Court of competent jurisdiction, that any section or provisions so declared invalid or unconstitutional shall be severable from and shall not effect the validity of the remainder of the chapter. (Ord. 117 §§ 1-1, 1-2, 1971)

8.16.020 Definitions.

As used in this chapter:

“Person” means any individual natural human being, partnership, corporation, firm, company, association, society or group.

“Assembly” means a company or group or groups of persons gathered together at any location at any single time for any purpose. (Ord. 117 § 2-3, 1971)

8.16.030 Exemptions.

This chapter shall not apply to any regular established, permanent place of worship, stadium, athletic field, arena, auditorium, coliseum, or other similar permanently established place for assemblies which do not exceed by more than two hundred fifty (250) people the maximum seating capacity of the structure where the assembly is held.

This chapter shall not apply to government- sponsored fairs or rodeos held on regularly established fairgrounds or rodeo grounds, nor to assemblies required to be licensed by other ordinances and regulations of Grand County. (Ord. 117 § 2-5, 2-6, 1971)

8.16.040 License required.

No person shall permit, maintain, promote, conduct, advertise, act as entrepreneur, undertake, organize, manage, or sell or give tickets to an actual or reasonably anticipated assembly of one thousand (1,000) or more people which continues or can reasonably be expected to continue for more than eighteen (18) or more consecutive hours, whether on private or public property unless a license to hold the assembly has first been issued by the Grand County council. (Ord. 117 § 2-1, 1971)

8.16.050 License application generally.

An application for a license must be made at least thirty (30) days in advance of the assembly. A license to hold an assembly to one person shall permit any person to engage in lawful activity in connection with the holding of the licensed assembly. (Ord. 117 § 2-2, 1971)

8.16.060 Separate license required when.

A separate license shall be required for each location in which one thousand (1,000) or more people assemble or can reasonably be anticipated to assemble; the fee for each license shall be one hundred dollars (\$100.00) for each day. (Ord. 117 § 2-4, 1971)

8.16.070 License application and contents.

A. Application for a license to hold an actual or anticipated assembly of one thousand (1,000) or more persons shall be made in writing to the Grand County council at least thirty (30) days in advance of such assembly.

B. The application shall contain a statement made upon oath or affirmation that the statements contained therein are true and correct to the best knowledge of the applicant and shall be signed and sworn to or affirmed by the individual making application in the case of an individual, natural, human being, by all officers in the case of a corporation, by all partners in the case of a partnership or by all officers of an unincorporated association, society or group or, if there be no officers, by all members of such association, society or group.

C. The application shall contain and disclose:

1. The name, age, residence and mailing address of all persons required to sign the application by subsection B of this section and, in the case of a corporation, a certified copy of the articles of incorporation together with the name, age, residence and mailing address of each person holding ten (10) percent or more of the stock of the corporation;

2. The address and legal description of all property upon which the assembly is to be held together with the name, residence and mailing address of the record owner(s) of all such property;

3. Proof of ownership of all property upon which the assembly is to be held or a statement made upon oath or affirmation by the record owner(s) of all such property that the applicant has permission to use such property for an assembly of one thousand (1,000) or more persons;

4. The nature or purpose of the assembly;

5. The total number of days and/or hours during which the assembly is to last;

6. The maximum number of persons which the applicant shall permit to assemble at any time, not to exceed the maximum number which can reasonably assemble at the location of the assembly, in consideration of the nature of the assembly, or the maximum number of persons allowed to sleep within the boundaries of the location of the assembly by the zoning ordinances of Grand County if the assembly is to continue overnight;

7. The maximum number of tickets to be sold, if any;

8. The plans of the applicant to limit the maximum number of people permitted to assemble;

9. The plans for fencing the location of the assembly and the gates contained in such fence;

10. The plans for supplying potable water including the source, amount available and location of outlets;

11. The plans for providing toilet and lavatory facilities including the source, number and location, type, and the means of disposing of waste deposited;

12. The plans for holding, collection and disposing of solid waste material;

13. The plans to provide for medical facilities including the location and construction of a medical structure, the names and addresses and hours of availability of physicians and nurses, and provisions for emergency ambulance service;

14. The plans, if any, to illuminate the location of the assembly including the source and amount of power and the location of lamps;

15. The plans for parking vehicles including size and location of lots, points of highway access and interior roads including routes between highway access and parking lots;

16. The plans for telephone service including the source, number and location of telephones;

17. The plans for camping facilities, if any, including facilities available and their location;

18. The plans for security including the number of guards, their names, addresses, credentials and hours of availability;

19. The plans for fire protection including the number, type and location of all protective devices including alarms and extinguishers, and the number of emergency fire personnel available to operate the equipment;

20. The plans for food concessions and concessioners who will be allowed to operate on the grounds including the names and addresses of all concessioners and their license or permit numbers.

D. The application shall include the bond required in Section 8.16.080(B) and the license fee. (Ord. 117 §§ 4-1--4-4, 1971)

8.16.080 Issuance conditions.

A. Before a license may be issued, the applicant shall first determine the maximum number of people which will be assembled or admitted to the location of the assembly. The maximum number shall not exceed the number which can reasonably assemble at the location of the assembly.

B. Before a license may be issued, the applicant shall provide proof that he or she will furnish at his or her own expense before the assembly commences:

1. A fence completely enclosing the proposed location, of sufficient height and strength to prevent people in excess of the maximum permissible number from gaining access to the assembly grounds. The fence shall have at least four gates placed at or near four opposite points of the compass;

2. Potable water, meeting all state and federal requirements for purity, sufficient to provide drinking water for the maximum number of people to be assembled at the rate of a minimum of one gallon per person per day, and water for bathing of a minimum of ten (10) gallons per person per day;

3. Separate enclosed toilets for males and females, meeting all state and local specifications, conveniently located throughout the grounds sufficient to provide facilities for the maximum number of people to be assembled at the rate of at least one toilet for every two hundred (200) females and at least one toilet for every three hundred (300) males together with an efficient, sanitary means of disposing of the waste matter deposited. All of which shall be in compliance with all federal, state and

local health requirements. A continuous supply of water, soap and paper towels shall be provided with each toilet.

4. A sanitary method of disposing of solid waste, in compliance with state and local laws and regulations, sufficient to dispose of the solid waste production of the maximum number of people to be assembled at the rate of at least 2.5 pounds of solid waste per person per day, together with a plan for holding and a plan for collecting all such waste at least once each day of the assembly and sufficient trash cans with tight fitting lids and personnel to perform the task;

5. Physicians and nurses licensed to practice in the state of Utah sufficient to provide the average medical care enjoyed by residents of Utah for the maximum number of people to be assembled at the rate of at least one physician for every one thousand (1,000) people and at least one nurse for every one thousand five hundred (1,500) people, together with an enclosed covered structure where treatment may be rendered, containing separately enclosed treatment rooms for each physician, and at least one emergency ambulance available for use at all times;

6. If the assembly is to continue during hours of darkness, illumination sufficient to light the entire area of the assembly at the rate of at least five foot candles, but not to shine unreasonably beyond the boundaries of the enclosed location of the assembly;

7. A parking area inside of the assembly grounds sufficient to provide parking space for the maximum number of people to be assembled at the rate of at least one parking space for every four persons;

8. Telephones connected to outside lines sufficient to provide service for the maximum number of people to be assembled at the rate of at least one separate line and receiver for each one thousand (1,000) persons;

9. If the assembly is to continue overnight, camping facilities in compliance with all federal, state and local requirements sufficient to provide camping accommodations for the maximum number of people to be assembled;

10. Security guards, either regularly employed, duly sworn off-duty peace officers of the state of Utah or private guards sufficient to provide adequate security for the maximum number of people to be assembled at the rate of at least one security guard for every seven hundred fifty (750) people;

11. Fire protection, including alarms, extinguishing devices and fire lanes and escapes, sufficient to meet all federal, state and local standards for the location of the assembly and sufficient emergency personnel to efficiently operate the required equipment;

12. A bond, filed with the clerk of Grand County, either in cash or underwritten by a surety company licensed to do business in Utah at the rate of one dollar (\$1.00) per person for the maximum number of people permitted to assemble, which shall indemnify and hold harmless Grand County or any of its agents, officers, servants and employees from any liability or causes of action which might arise by reason of granting this license, and from any cost incurred in cleaning up any waste material produced or left by the assembly.

C. The application for a license shall be processed within twenty (20) days of receipt and shall be issued if all conditions are complied with. (Ord. 329 § 6 (part), 2000; Ord. 117 §§ 3-1, 3-2 and 5-1, 1971)

The license may be revoked by the Grand County council at any time if any of the conditions necessary for the issuing of or contained in the license are not complied with, or if any condition previously met ceases to be complied with. (Ord. 117 § 6-1, 1971)

8.16.100 Enforcement.

A. The provisions of this chapter may be enforced by injunction in any court of competent jurisdiction.

B. The holding of an assembly in violation of any provisions or condition contained in this chapter shall be deemed a public nuisance and be abated as such. (Ord. 117 §§ 7-1, 7-2, 1971)

8.16.110 Violation--Penalty.

Any person who violates Section 8.16.040 or who violates any condition upon which he or she is granted a license may be fined not more than one thousand dollars (\$1,000.00). Each day of violation shall be considered a separate offense. (Ord. 329 § 6 (part), 2000; Ord. 117 § 7-3, 1971)