

**TOWN OF ALTA**

**ORDINANCE #2023-O-6**

**ORDINANCE AMENDING TITLE 5-4 "INTERLODGE TRAVEL" UPDATING THE ORDINANCE TO MEET CURRENT OPERATIONAL PROCEDURES AND AUTHORITY.**

**WHEREAS**, in 1980 the Town of Alta ("Town") Town Council ("Council") enacted an Interlodge Travel ordinance for the safety and well-being of Town occupants; and

**WHEREAS**, the interlodge ordinance restricted movement within the Town during activities undertaken for avalanche control and prevention; and

**WHEREAS**, since the interlodge travel ordinance was enacted, the conditions and procedures of avalanche control and prevention have evolved; and

**WHEREAS**, the executive administration of the Town has also evolved; and

**WHEREAS**, the Council desires to update the interlodge travel ordinance to reflect current procedures and authority to implement interlodge travel, and to clarify the authority for exemptions from interlodge travel.

NOW, THEREFORE, BE IT ORDAINED by Alta Town Council of, Utah, that:

SECTION I. AMENDED. Title 5, Chapter 4, "Interlodge Travel" is hereby amended as follows:

**CHAPTER 4  
INTERLODGE TRAVEL**

**SECTION:**

**5-4-1: Authority To Prohibit Outdoor Travel**

**5-4-2: Outdoor Travel Prohibited; Penalty**

**5-4-3: Exemption**

**5-4-4: Posting Of Signs Required And Notifications; Penalty**

**5-4-5: Enforcement**

**5-4-1: AUTHORITY TO PROHIBIT OUTDOOR TRAVEL:**

The Town Marshal shall have the authority to prohibit all travel by any person outside any public or private structure or building, and shall be empowered to prohibit any vehicular or pedestrian traffic within the limits of the Town whenever ~~said~~ officials ~~deem~~ determine such travel is unsafe by reason of hazardous avalanche conditions or activities undertaken for avalanche control and prevention.

**5-4-2: OUTDOOR TRAVEL PROHIBITED; PENALTY:**

It shall be unlawful for any person to ~~wilfully~~willfully go outside of any public or private structure within the Town or to engage in vehicular or pedestrian traffic outside of any building whenever such travel shall have been designated as unsafe and prohibited by the Town Marshal. Violation of this section is a Class B misdemeanor, subject to penalty as provided in section 1-4-1 of this Code.

#### **5-4-3: EXEMPTION:**

~~Nothing herein provided shall, however, be deemed to~~Interlodge restrictions shall not apply to ski patrol employees, officers of the ~~US Forest Service~~US Forest Service, supervised ~~State Utah~~State Utah Department of Transportation personnel, ~~unified Unified fire Fire authority Authority~~unified Unified fire Fire authority Authority personnel, ~~on-duty law enforcement personnel~~on-duty law enforcement personnel, or the Town Marshal ~~and~~and employees. The exemption of personnel in this section only applies to on-duty employees of the named entities acting in the scope of employment.

~~Snowplow operators, cat operators and private security personnel, as identified by the Alta Ski Lift Company, shall also be exempt on the condition that they are made aware of the hazards of travel during interlodge periods and on the condition that the lift company indemnifies and holds harmless the Town, in writing, from any claims arising from travel during interlodge periods. The Alta Ski Lift Company may authorize necessary travel with the approval of the Marshal within their special use permit area boundaries provided that they coordinate with the Town Marshal's Office and UDOT Avalanche Forecasters during explosive avalanche mitigation work. Necessary travel is defined as essential to the basic operation of facilities and not conducted as a convenience. The Alta Ski Lift Company shall maintain accountability and tracking of travel during Interlodge periods. The above exemption for the Alta Ski Lift Company is conditioned on a written indemnity agreement between the Town and Alta Ski Lift Company.~~

The ~~Mayor Town Manager or Town Marshal~~Mayor Town Manager or Town Marshal shall also have the power to designate individuals on a one time basis as exempt from interlodge restrictions.

#### **5-4-4: POSTING OF SIGNS REQUIRED AND NOTIFICATIONS; PENALTY:**

All owners, operators and/or managers of any building located within the Town, after receipt of notice by the Town Marshal's Office or Deputy, shall post on or near, in a conspicuous place, each unlocked exit or doorway leading to the outside of ~~said each~~said each building, a sign ~~which shall notify all occupants stating~~which shall notify all occupants stating that all outdoor or interlodge travel is prohibited by order of the Town Marshal. Each sign required hereunder shall be of a nature, size and substance approved by the Town Marshal. It shall be unlawful for any owner, operator or manager to willfully fail to post the approved signs in the manner required hereby.

All owners, operators and/or managers of any building located within the Town shall also register their contact information with the Marshal's Office for interlodge closure notifications and shall be responsible for confirming that interlodge travel is permitted before engaging in or allowing outdoor travel.

Violation of this section is a Class C misdemeanor, subject to penalty as provided in section 1-4-1 of this Code.

**5-4-5: ENFORCEMENT:**

The Town Marshal is hereby empowered to deputize for such length of time as ~~he shall designate~~necessary, any suitable person to enforce ~~the observance of~~compliance with this section.

SECTION II. Effective Date. This ordinance shall be effective upon publication.

PASSED AND APPROVED by the Town of Alta Town Council, Utah, this 9<sup>th</sup> day of August in the year 2023.

TOWN OF ALTA

\_\_\_\_\_  
Roger Bourke, Mayor

ATTEST:

\_\_\_\_\_  
Jen Clancy, Town Clerk

Ordinance/summary published on Utah state noticing website on \_\_\_\_\_.  
Effective date of Ordinance: \_\_\_\_\_