

STAFF REPORT

To: Town of Alta Town Council
From: Cameron Platt, Polly McLean
Date: September 30, 2023
Re: Classifying Town Ordinance Enforcement

Previously, the Council reviewed and discussed the three methods available for the Town to enforce its ordinances. During the discussion, members of the Council expressed interest in possible approaches to classify enforcement of Town ordinances based on the seriousness of the violation.

Generally, staff understood the Council's direction as being open to civil code enforcement but wanted to keep the more serious types of violations as criminal violations. Below is a possible classification of ordinances:

Civil Code Enforcement (this includes existing administrative enforcement)

- Title 3 Business and License Regulations
- Title 4 Health and Sanitation
- Title 5 Public Safety, exempting
 - 5-3-1 Offenses under the Utah Criminal Code
 - 5-3A-1 Curfew for Minors
- Title 6 Vehicles, Parking and Traffic, exempting
 - Moving violations which, under Utah statute, cannot be civilly enforced by municipalities
- Title 7 Public Ways and Property
- Title 8 Utilities
- Title 9 Building Code and Construction Regulations
- Title 10 Land Use Regulations
- Title 11 Flood Damage Prevention

Criminal Enforcement

- 5-3-1 Offenses under the Utah Criminal Code
- 5-3A-1 Curfew for Minors
- At the discretion of the Town Marshal: a repeat offense within 1 year of adjudication of a civil enforcement violation, or for a serious violation that jeopardizes the health or safety of another person.

The Council can use the above classification to direct staff on this or alternative classifications of Town ordinance enforcement.