

Chapter 1

Miscellaneous Criminal Offenses

(Title 15, Chapter 1 Miscellaneous Criminal Offenses adopted by ordinance 2014-30, effective October 21, 2014)

Sections:

- 16-1-1. Advertisements--Posting Without Permission.
- 16-1-2. Advertisement--Tearing Down or Defacing.
- 16-1-3. Air Guns, Slingshots, etc.
- 16-1-4. Firearms--Discharge in City Limits--Exception.
- 16-1-5. Flooding Streets and Sidewalks.
- 16-1-6. Iceboxes, Refrigerators, etc.--Abandoned or Discarded.
- 16-1-7. Minors, Curfew.
- 16-1-8. Registers to be Kept by Hotels, Boarding Houses, Rooming Houses, Lodging Houses, Motels, Trailer Parks and Other Public Lodging Places.
- 16-1-9. Waters and Violation of Water Rights.
- 16-1-10. Liquor and Alcoholic Beverages - Drinking in Public Places, Places Prohibited - Opening Container of Liquor and/or Alcoholic Beverages In or About a Vehicle in Which the Same is Being Carried or Conveyed Prohibited.
- 16-1-11. Regulation of Parking upon Grantsville City Property.
- 16-1-12. Utah Traffic Code Applicable to School District Property
- 16-1-13. Purchase or Possession of Fireworks – Age Restrictions
- 16-1-14. Fireworks Restriction
- 16-1-15. Intentionally, Knowingly, or Recklessly Installing of Malware

Section 16-1-1. Advertisements--Posting Without Permission.

It shall be unlawful for any person within the corporate limits of the city to print, paint, write, mark or in any way post up any notice, card, advertisement of other device upon any wall, fence, tree, post, building, bridge, sidewalk, street or other property, or cause the same to be done, without permission of the owner or agent thereof, or the mayor if upon public property or the streets and sidewalks of the City.

Section 16-1-2. Advertisement--Tearing Down or Defacing.

It shall be unlawful for any person, without lawful authority, to tear down or deface any ordinance, bill, notice, advertisement or other paper of a business or legitimate character lawfully posted within the limits of the city, at any time before the object of such notice has been accomplished.

Section 16-1-3. Air Guns, Slingshots, etc.

It shall be unlawful for any person to discharge any air gun, sparrow gun, flipper, slingshot, bows and arrows or other similar contrivance within the limits of the city.

Section 16-1-4. Firearms--Discharge in City Limits--Exception.

It shall be unlawful for any person to discharge firearms of any description within the

limits of Grantsville City, except in self defense; provided, that this prohibition shall not apply to any peace officer in the discharge of his duty nor to target shooting after the erection of a proper breastwork or battery for the protection of the citizens, as approved by the City Council, or to legalized seasonal hunting, as provided by the Department of Wildlife Resources.

Section 16-1-5. Flooding Streets and Sidewalks.

Every person who willfully, carelessly or negligently obstructs, injures or floods any street or sidewalk by the flow or seepage of water, or who willfully, carelessly or negligently permits water under his control to escape in any manner so as to obstruct, injure, flood or sprinkle any street or sidewalk within the limits of this City is guilty of a class B misdemeanor.

Section 16-1-6. Iceboxes, Refrigerators, etc.--Abandoned or Discarded.

It shall be unlawful and constitute a nuisance for any person to leave outside of any building dwelling, in a place accessible to children, any abandoned, unattended or discarded icebox, refrigerator or any other container of any kind which has an airtight door or lock which cannot be released from the inside or which has an airtight snap lock or other device thereon without first removing the snap lock or doors from such icebox, refrigerator or container.

Section 16-1-7. Minors, Curfew.

It shall be unlawful for any person under the age of sixteen years to be or remain in or upon any of the streets, alleys, or public places or vacant lots within Grantsville City between the hours of ten-thirty P.M. and four A.M. and it shall be unlawful for any minor person or persons under eighteen years of age to be in or on any of the sidewalks, streets, alleys or public places in Grantsville City between twelve A.M. and four A.M. unless such person is accompanied by a parent, guardian or other person having legal custody of such minor person unless such minor's employment or lawful business makes it necessary to be upon the streets, alleys or public places between the above specified hours in which event such minor person shall obtain a permit from the chief of police so to be upon the streets, alleys or public places.

The chief of police may also designate the curfew hours to between one A.M. and four A.M. upon the request of a responsible person who is promoting a local youth activity. Where a permit is required from the chief of police under this section, such permit shall be kept upon the person and it shall be unlawful to be upon the streets, alleys or public places of the city within the curfew hours without such permit.

It is hereby made unlawful for any parent, guardian or other person having legal charge or custody of any person under sixteen years of age to allow or permit any such child, ward or other person under such age, while in such legal custody, to go or be upon any of the streets, alleys or public places in the city when such going or being in or upon such streets, alleys or public places would be in violation by such minor person of any provision of this section. Any person violating the provisions of this section shall be deemed guilty of a class C misdemeanor.

Section 16-1-8. Registers to be Kept by Hotels, Boarding Houses, Rooming Houses, Lodging Houses, Motels, Trailer Parks and Other Public Lodging Places.

It shall be unlawful for the keeper of any hotel, boarding house, lodging house, rooming house or motel, trailer park or other public lodging place to fail to keep a register in which such keeper shall require each guest to write their name and place of residence before occupying any sleeping or other room; or to fail to enter on such register opposite the name of each guest the number, letter or other designation of the room assigned to such guest, or fail to keep such register open to the public for inspection at all times until one year after said register shall have been filled. Such register shall be a permanently bound blank book sufficient in size to contain all of the information herein provided to be placed in the same. Any person, be the owner, proprietor, clerk or any other person having regular or temporary charge of any hotel, boarding house, lodging house, rooming house, motel, trailer park or other public lodging place, who shall violate any provisions of this section, shall be deemed guilty of a class B misdemeanor.

Section 16-1-9. Waters and Violation of Water Rights.

Every person who, in violation of any right of any other person, willfully turns or uses the water, or any part thereof, of any canal, ditch, pipeline, or reservoir, except at a time when the use of the water has been duly distributed to the person, or willfully uses any greater quantity of the water than has been duly distributed to them or in any way changes the flow of water when lawfully distributed for irrigation or other useful purposes, except when duly authorized to make the change, or willfully and maliciously breaks or injures any dam, canal, pipeline, water gate, ditch or other means of diverting or conveying water for irrigation or other useful purposes, is guilty of a class B misdemeanor.

Chapter 16 was enacted May 5, 1982 by Ordinance number 82- .

Section 16-1-10. Liquor and Alcoholic Beverages - Drinking in Public Places, Places Prohibited - Opening Container of Liquor and/or Alcoholic Beverages In or About a Vehicle in Which the Same is Being Carried or Conveyed Prohibited.

Definitions:

1. Alcoholic Beverage: means and includes beer and liquor as they are defined herein.
2. Beer: means any beverage containing not less than one-half of one percent of alcohol by weight and obtained by the alcoholic fermentation of an infusion or decoction of any malted grain or similar products. Heavy beer means beer containing more than 3.2 percent of alcohol by weight. Light beer means beer containing not more than 3.2 percent of alcohol by weight. Beer may or may not contain hops or other vegetable projects. Beer includes ale, stout and porter.
3. Liquor: means and includes alcohol, or any alcoholic, spirituous, vinous, fermented, malt, or other liquid or combination of liquids, a part of which is spirituous, vinous or fermented, and all other drinks or drinkable liquids, containing more than one-half of one percent of alcohol by weight; and all

mixtures, compounds or preparations, whether liquor or not, which contain more than one-half of one percent of alcohol by weight, and which are capable of human consumption; except that the term liquor shall not include light beer.

4. Package: shall mean any container, bottle, vessel, or other receptacle immediately containing liquor.
5. Public place: shall mean and include any place, building or conveyance, to which the public has, or is permitted to have access, and any highway, street, lane, park or place of public resort or amusement, and any other place which, under the provisions of this act, has been declared to be a public place.
 - a. It shall be unlawful for any person to drink any alcoholic beverage or to have in his possession any opened container containing any alcoholic beverage in any street, alley, sidewalk, business or other public place, provided however that it shall not be unlawful for any person to drink or to have in his possession an opened container of beer or other alcoholic beverage in a place holding a current business license duly issued by Grantsville City authorizing said business to sell beer or allow such consumption of alcoholic beverages on the business premises.
 - b. It shall be unlawful for any person, firm, or corporation within Grantsville City to possess an alcoholic beverage in a container larger than sixty-four ounces, or to withdraw an alcoholic beverage from a container larger than sixty-four ounces or to consume an alcoholic beverage which has been withdrawn from a container larger than sixty-four ounces. The provisions of this subsection shall not apply to any person, firm, or corporation that has been issued a license or permit to sell or distribute alcoholic beverages in Grantsville City, provided, however, that said sale or distribution of alcoholic beverages shall be performed only at such times and places as is authorized by said license.
 - c. For the purpose of this section, alcoholic beverage as used herein, means any beverage or drink, containing not less than one-half of one percent of alcohol by weight. Public place shall mean and include any area or building, to which the public has, or is permitted to have access, and any highway, street, lane, park or place of public resort or amusement. Section 16-18 was adopted 7-21-82 by Ordinance number 82-12.

Section 16-1-11. Regulation of Parking upon Grantsville City Property.

It is unlawful for any person to park, allow to be parked, to place or allow to be placed a motor vehicle, trailer or any other item of personal property upon real property owned or used by Grantsville City for a period of time longer than six (6) hours, unless the property is posted for long term parking or said parking is for the purpose of attending or supporting a City sponsored or authorized event, when the event lasts longer than six (6) hours. Persons who violate the provisions of this section shall be guilty of a Class C misdemeanor and motor vehicles, trailers or personal property that are unlawfully parked or placed upon City property in violation of this Section may be towed away or removed from said area and impounded. If a vehicle, trailer or item of personal property is towed away, removed or impounded pursuant to this Section, all of the fees

for towing, removal, storage or impoundment shall be paid in full before said vehicle or property is released to its owner. For the purposes of this Section, park, parking, place or placed means the standing or location of a vehicle, trailer or other item of personal property, whether occupied or not on any portion of City property for six consecutive hours or for more than six hours during any 24 hour period. In addition, for the purpose of this Section Grantsville City property does not include public roads or streets, which are regulated by this Code.

Section 16-1-12. Utah Traffic Code Applicable to School District Property.

The provisions of the Utah Traffic Code included in Chapter 6a of Title 41 of the Utah Code are hereby made applicable to all Tooele County School District roads and parking areas located within Grantsville City, Utah. (adopted by Ordinance 2008-31, effective July 24, 2008).

Section 16-1-13. Purchase or Possession of Fireworks – Age Restrictions

It shall be unlawful for any person under 18 years of age to purchase or possess fireworks within Grantsville City unless at the time said minor is accompanied by a parent, legal guardian, or other reasonable person of at least 21 years of age. For the purpose of this Section, fireworks are defined as a Class C common State approved explosive under §53-7-202 Utah Code Annotated, or any other fireworks authorized for the sale to use by the public under Utah law.

Section 16-1-14. Fireworks Restriction.

The Grantsville City Fire Marshal shall have the authority to place the following restrictions on firework acquisition and use, and any other restrictions, if any, which the Marshal determines necessary and use based on his findings that safety so requires.

For the purpose of this Ordinance, fireworks are defined as Class “C” common state approved explosives.

Commencing at the south east corner of West and Clark Streets, running thence east along the south side of Clark Street to the south west corner of Clark and Booth Street, thence south along the west side of Booth Street to the north west corner of Booth and Main Street, thence west along the north side of main Street to Matthews Lane, thence south along the west side of Matthews Lane to the north west corner of Matthews Lane and Durfee Street, thence west along the north side of Durfee Street to the north east corner of Durfee and West Street, thence north along the east side of West Street to the south east corner of West and Clark Street.

South Willow Estates/The Ranches subdivision, Anderson Ranch subdivision, and Blake Mountain subdivision residents will be allowed to set off fireworks so long as they are located in interior portion of the subdivision, not on a lot or road that is the outside boundary of the subdivision.

Fireworks may only be discharged between the hours of 11:00 am and 11:00 pm except as noted. Fireworks may be discharged between July 1 and July 7. Fireworks may be

discharged until 11:59 pm the night the community is celebrating the Fourth of July. Fireworks may be discharged between July 21 and July 27. Fireworks may be discharged until 11:59 pm the night the community is celebrating the Twenty-Fourth of July. Fireworks may be discharged between December 31 and January 1, from 11:00 am December 31 until 1:00 am January 1.

A violation of this Section is a class C misdemeanor.

Section 16-1-15. Intentionally, Knowingly, or Recklessly Installing of Malware.

It shall be unlawful for any individual(s) to intentionally, knowingly, or recklessly install any software that contains malware or a virus on any personal computer, hard drive, or server owned by Grantsville City. Said individual(s) shall be held responsible for any cost associated with the repair/return of the computer system to normal function. Such a conviction shall be punishable as a Class C Misdemeanor, a \$750.00 fine, and up to ninety (90) days in jail.