



August 30, 2012

Notice of Public Hearing

Riverdale City Planning Commission

Tuesday September 11, 2012

Which begins at 6:30 p.m.

Riverdale Civic Center
4600 Weber River Drive
Riverdale, Utah

Riverdale City Planning Commission will hold a public hearing to receive and consider public comment on proposed amendments to RCC 10 Zoning and Subdivision Regulations to create consistency. The new proposed language is attached to this notice and can be viewed on below. All residents are invited and encouraged to attend.

- The public is invited to attend all public meetings.
- In compliance with the Americans with Disabilities Act, persons who have need of special accommodations should contact the City Recorder at 394-5541.

Public Hearing on proposed amendment to RCC 10
Zoning and Subdivision Regulations and Consideration of
amending the following sections of Riverdale City Code
to create consistency:

- i. RCC 4-5-6 nuisance abatement -
administration, to create consistency with
RCC 1-12-6-A4 by replacing all reference to
“public safety director” with “police chief”
- ii. A proposed amendment to RCC to create
consistency by replacing all references to
“fire services" with "fire department”
- iii: A proposed amendment to RCC to create
consistency by replacing all references to
“police services" with "police department”

1-4-4: MISDEMEANOR CITATIONS:

F. Fix-It Tickets:

1. Established: There is hereby established in the city a fix-it ticket program for the enforcement of city zoning, business license, building code and fire code violations. Said fix-it tickets may be issued by the following personnel: building official, animal control officer, police officers and selected fire service personnel. The **director of public safety** shall designate which persons from the fire service may issue said citations. (1985 Code § 13-15-6; amd. 2001 Code)

1-6-5: MEETINGS; PROCEDURE AND CONDUCT:

- D. Quorum: The majority of the council elected shall constitute a quorum to do business; but a smaller number may adjourn from time to time, and are hereby empowered to compel the attendance of absent members, and may, when necessary, direct the **director of public safety** to bring in such member or members under arrest. Should any member of the council, when notified by the **director of public safety** or other proper officer, that his presence is necessary to form a quorum (unless he shall present an excuse satisfactory to the council at its next regular meeting), or should any member leave the council when in session without the consent of the council, when such leaving would break the quorum, he may be fined in any sum not exceeding fifty dollars (\$50.00). (1985 Code § 2-1-2; amd. 2001 Code)

1-7A-1: GENERAL DUTIES:

The city administrator shall serve as the chief administrative officer of the city and shall be responsible for overseeing the day to day operations of the city departments (supervision of the **director of public safety** is required to remain with the mayor). All city employees, through their department heads, shall be responsible to the city administrator, who shall in turn be responsible to the mayor and city council on matters of policy, procedure and business affecting the city. (1985 Code § 2-8-1; amd. 2001 Code)

3-2-11: PROHIBITED ACTS AND ACTIVITIES:

- N. Locked Doors: It is unlawful for any door or other means of ingress to or egress from any licensed premises to be locked or barred, or barricaded in any way so as to interfere with the free entrance to the licensed premises by any peace officer at any time while the premises is occupied or open to the public, but all doors or other means of entrance thereto during the time the premises is occupied or open to the public shall be left unlocked or unfastened so that any peace officer may enter the same without any hindrance or delay; provided, however, that there may be maintained upon the premises a locked storeroom for the keeping of goods and supplies used in the business. Such storeroom shall at all times be subject to search and inspection by any peace officer as hereinafter provided. It is unlawful for any

licensee to deny any peace officer immediate access to such storeroom for such search or inspection upon demand made for such access. It is unlawful for any licensee to suffer any person, except a bona fide employee of the licensee or a peace officer, to enter or remain in such storeroom; and further provided, that a Class D liquor licensee may provide a card-operated lock on the licensed premises; provided, that an appropriate card key therefore is first delivered to the **director of public safety** for use by his officers in the line of duty. (1985 Code § 3-3-20; amd. 2001 Code)

3-6-3: APPLICATION, INVESTIGATION:

An application for a swap meet license shall be made to the city recorder and shall state thereon the name of the applicant, the place of business and the number of employees intended to be engaged. The **director of public safety** or any other office designated by the **director of public safety** shall investigate each applicant for such license and shall report back on whether or not such applicant is a person who has been convicted of a felony or theft-related offense. If no such convictions appear on the person's record, the city may issue a license to conduct a swap meet, providing the licensee agrees to comply with the other provisions of this chapter. If any such conviction does appear, no license shall be issued without the consent of the city council. (1985 Code § 11-5-3; amd. 2001 Code)

3-7-3: APPLICATION; INVESTIGATION:

B. Recommendation: After the police service has completed its investigation into the background of the applicant, the **director of public safety** shall make a written recommendation to the city council as to whether or not the license should be granted.

3-7-5: REVOCATION OF LICENSE:

It shall be the duty of the **director of public safety** to report to the city council any failure by a pawnbroker to comply with the provisions of this chapter. The city council may revoke any pawnbroker's license for good cause after notice and a hearing, upon conviction of any violation of the provisions of this chapter from which an appeal has not been taken. (1985 Code § 11-7-4; amd. 2001 Code)

4-1-2: DIRECTOR OF PUBLIC SAFETY; SUPERVISION OVER FIRE SERVICE:

The **director of public safety** shall have control, subject to the order and direction of the mayor and city council, of the fire service and all fire apparatus belonging to the city. (1985 Code § 9-1-2; amd. 2001 Code)

4-5-6: NUISANCE ABATEMENT - ADMINISTRATION:

This chapter may be administered and enforced by the city, code enforcement or the ~~public safety department~~ ~~police department~~. In case of nuisances involving dangerous buildings enforcement may be administered by the community development or fire department or any other properly authorized agent of the city. (Ord. 780, 3-15-2011)

4-1-3: DUTIES AND RESPONSIBILITIES:

B. Records Maintained: The **director of public safety** shall keep or cause to be kept a record of all training received by firefighters; and a record of all fires and such other records as may be required by law or by city policy; and, prior to the city's annual budget preparation meetings each year, file with the city administrator a full report of such records and fires, which report shall be under oath. (1985 Code §§9-1-5; amd. 2001 Code)

5-1-1: DIRECTOR OF PUBLIC SAFETY:

A. Appointment; Duties: The city council may appoint a **director of public safety**, who shall perform the duties required of him by law and the ordinances of the city, and such other duties as the city may by resolution require. (1985 Code §§14-1-1; amd. 2001 Code)

B. Powers: The **director of public safety** shall possess the same powers, be subject to the same liabilities, and exercise the same privileges as are possessed by and imposed by law upon constables, and may execute such legal orders as may be required of him. He shall attend all meetings of the city council when requested. He shall preserve the peace and good order of the city; quell all riots; arrest and bring all disorderly persons before the justice court judge; and see that all orders and judgments of said court are carried into effect; he shall see that all ordinances of the city for the prevention of fires are strictly enforced; and shall take such measures as shall secure the peace and good order of all public meetings and of the city generally. (1985 Code §§14-1-2; amd. 2001 Code)

5-1A-1: MEMBERSHIP:

A. Established; Appointments: A police reserve corps is hereby established as a voluntary organization composed of persons appointed by the mayor, by and with the consent and approval of the city council, said persons to serve gratuitously. The members of said police reserve corps, when ordered by the mayor or **director of public safety**, may assist regular officers of the police service in the performance of law enforcement service which may be required. Membership in the police reserve corps shall be open to both men and women over the age of twenty five (25) years. (1985 Code §§14-2-1; amd. 2001 Code)

5-1A-3: ADMINISTRATION; SUPERVISION:

Subject to the provisions of this article and any rules and regulations which may be made by the city council, the control of such police reserve corps shall be vested in the **director**

of public safety, subject to the supervision of the mayor and city council. (1985 Code § 14-2-2; amd. 2001 Code)

5-1A-4: UNIFORMS, IDENTIFICATION AND EQUIPMENT:

A. Badge And Identification: Each member of the police reserve corps shall be issued a badge and such other identification, if any, as the city council may prescribe. Such badge and other identification shall be carried by the member at all times when on duty. Each member must promptly surrender to the director of public safety such badge, together with any other identification, and all city property issued to him upon termination of his membership in such police reserve corps. (1985 Code § 14-2-4; amd. 2001 Code)

B. Uniforms And Equipment: The necessary uniforms and equipment for corps members and the proper use of such uniforms and equipment shall be prescribed by the director of public safety. (1985 Code § 14-2-8; amd. 2001 Code)

5-1A-5: TERMINATION; RESIGNATION:

The membership of any person in the police reserve corps may be terminated at any time by the mayor or director of public safety for any cause satisfactory to such mayor or director of public safety; and any member of the corps may resign at any time. (1985 Code § 14-2-5; amd. 2001 Code)

5-1B-4: UNCLAIMED PROPERTY; SALE OR OTHER DISPOSITION:

B. In the event the city council shall, by resolution, designate public interest use of unclaimed property and approve its donation to charity, then such donation shall be made by the director of public safety or by the city administrator, after consultation with the mayor. (1985 Code § 14-3-4; amd. 2001 Code)

5-2-3: FIREARMS AND WEAPONS:

B. Concealed Weapons:

1. License Required: The director of public safety, upon proof that the person applying is of good character, and upon showing that good cause exists for the issuance, may issue to such person a license to carry a concealed weapon for a period of one year from the issuance date of the license. (1985 Code § 13-10-5.13; amd. 2001 Code)
4. Records; Copies Transmitted To Bureau: When any license is issued, a record shall be maintained in the office of the city recorder which shall be open to public inspection.

Copies of each license issued shall be filed immediately by the **director of public safety** with the state bureau of criminal identification. (1985 Code § 13-10-5.17)

5-3-2: EXCEPTION:

The provisions of this chapter shall not apply to any such minor person who is employed or for whom lawful business makes it necessary to be upon such streets, alleys, public places or lots during said hours if such minor person has upon his person a written permit from the **director of public safety** to be upon said streets, alleys, public places or lots during said hours. (1985 Code § 13-14-3; amd. 2001 Code)

5-4-2: ANIMAL CONTROL SERVICE:

B. Administrator Of Animal Control; Officers: The animal control shall be administered by the **director of public safety**. The city administration may, from time to time, appoint such other officers as they shall deem necessary. Each shall take the oath of office and be vested with the power and authority to enforce this chapter.

C. Powers And Duties:

1. The **director of public safety**, assistants and animal control officers are hereby authorized and empowered to apprehend and take with them and impound any animal found in violation of this chapter, including licensable animals for which no license has been procured in accordance with this chapter, or any unlicensed or licensed animal for any other violation thereof.
2. In the enforcement of this chapter, any sworn animal control officer, peace officer or the **director of public safety** or his or her assistants are authorized to enter onto the open premises of any person to take possession of any animal involved in the violation of this chapter.
3. The animal control officer designated by the **director of public safety** shall:
 - a. Enforce this chapter and perform other responsibilities pursuant thereto.
 - b. Supervise the municipal animal shelter under his or her jurisdiction.
 - c. Keep adequate records of all animals impounded and all monies collected.
 - d. See that all animals and animal holding facilities in his or her jurisdiction are licensed and controlled in accordance with this chapter and other applicable regulations.
 - e. Establish, in cooperation with the Weber County health department and other interested governmental agencies, adequate measures for rabies immunization and control.
4. Each animal control officer shall:

- a. Enforce this chapter in all respects pertaining to animal control within the jurisdiction, including the care and impounding of animals and prevention of cruelty to animals.
- b. Carry out all duties prescribed or delegated by the **director of public safety**. (Ord. 619, 6-17-2003)

5-4-4: LICENSING AND REGULATIONS:

F. Revocation Of License: If the owner of any dog is found to be in violation of this chapter on three (3) or more different occasions during a twelve (12) month period, the **director of public safety** may seek a court order, revoking for a period of one year any license such person may possess and providing for the animal control service to pick up and impound any animal kept by the person under such order. Any dog impounded pursuant to such an order shall be dealt with in accordance with the provisions of this chapter except that the person under the order of revocation shall not be allowed to redeem the animal under any circumstances.

5-4-6: RABIES CONTROL:

F. Quarantining And Disposition Of Biting, Bitten Or Rabid Animals:

3. Quarantine: Any animal of a species subject to rabies that bites a person or animal or is suspected of having rabies may be seized and quarantined for observation for a period of not less than ten (10) days by the animal control service and/or the health department. Any person authorized to enforce this chapter may enter upon private property to seize the animal; if the owner refuses to surrender the animal, the officer shall immediately obtain a search warrant authorizing seizure and impoundment of the animal. The owner of the animal shall bear the cost of confinement. The animal shelter shall be the normal place of quarantine, but other arrangements, including confinement by the owner, may be made by the **director of public safety** and/or the director of health if the animal had a current rabies vaccination at the time the bite was inflicted or if there are other special circumstances justifying an exception. A person who has custody of an animal under quarantine shall immediately notify the animal control service if the animal shows signs of sickness or abnormal behavior, or if the animal escapes confinement. It shall be unlawful for any person who has custody of a quarantined animal to fail or refuse to allow a health or animal control officer to make an inspection or examination during the period of quarantine. If the animal dies within ten (10) days from the date of the bite, the person having custody shall immediately notify the service or immediately remove and deliver the head of the animal to the state health department laboratory to be examined for rabies. If, at the end of the ten (10) day period, the **director of public safety** examines the animal and finds no sign of rabies, the animal may be released to the owner or in the case of a stray, it shall be disposed of as provided in this chapter.
7. Dangerous Animal: If any animal bites or attacks a person or animal two (2) times or more, such animal may be immediately impounded by the animal control service without court order and held at owner expense pending court action. Any such animal shall be

deemed a dangerous animal, and the **director of public safety** or appointed animal control officer may seek a court order as provided in section 5-4-12 of this chapter for destruction of the animal. Parties owning such animal shall, if possible, be notified immediately of the animal's location by the animal control service. (Ord. 619, 6-17-2003)

5-4-8: ANIMALS ATTACKING PERSONS AND ANIMALS:

C. Restraint, Muzzle Required: It shall be unlawful for the owner of any fierce, dangerous or vicious animal to suffer or to permit such animal to go or be off the premises of the owner unless such animal is under restraint and properly muzzled so as to prevent it from injuring any person or property or another animal. Every animal so vicious and dangerous that it cannot be controlled by reasonable restraints, and every dangerous and vicious animal not effectively controlled by its owner or person having charge or control of such animal, so that it shall not injure any person or property is a hazard to public safety, and the **director of public safety** shall seek a court order for destruction of or muzzling of the animal. (Ord. 619, 6-17-2003)

5-4-11: IMPOUNDING:

A. Animals To Be Impounded: The **director of public safety** shall place all animals which he or she takes into custody in a designated animal impound facility. The **director of public safety** shall cause deceased animals to be disposed of. The following animals may be taken into custody by the **director of public safety** and impounded without the filing of a complaint:

C. Disposition Of Animals:

2. All dogs and cats, except for those quarantined or confined by court order, held longer than the minimum impound period, and all dogs and cats voluntarily relinquished to the impound facility, may be destroyed or sold as the **director of public safety** shall direct. If the animals are sold, the fee charged shall be the same as the adoption fees charged by the animal facility used by the city. Any person who buys or adopts an animal that has been placed in the facility by the city shall also purchase a mandatory spay/neuter agreement for an additional thirty dollars (\$30.00).
3. Any licensed animal impounded and having or suspected of having serious injury or contagious disease requiring medical attention, may, in the discretion of the **director of public safety**, be released to the care of the veterinarian with the consent of the owner.

6-3-1: AUTHORITY TO IMPOUND; NUISANCE ABATEMENT:

Every police officer of the city is authorized summarily to seize and take possession of every abandoned and/or illegally parked or operated vehicle, without a warrant, wherever found, by removing or causing such vehicle to be removed and impounded in any

authorized vehicle pound. Every police officer of the city is also further authorized to seize and take possession of any vehicle which is being operated upon the public streets of the city with improper registration, registration that has been expired for more than three (3) months, or registration that is suspended or revoked. A police officer may also impound a vehicle which he has good reason to believe has been stolen, or on which any motor number, manufacturer's number or identification mark has been defaced, altered or obliterated. Additionally, if the vehicle being impounded has an attached trailer, the trailer may also be seized to transport the vehicle. Every police officer so impounding a vehicle shall, within twenty four (24) hours, make written report thereof to the **director of public safety**, specifying the manufacturer's trade name and model of the impounded vehicle, its license and motor number, the time and place where the vehicle was taken and impounded, and the cause of impounding. The vehicle used to impound the vehicle in violation shall meet the standards of the Department of Public Safety and the Motor Safety Carrier Act. (1985 Code § 12-3-1; amd. 2001 Code)

6-3-2: RECLAIMING OF IMPOUNDED VEHICLES; FEE:

The owner of an impounded vehicle may reclaim and obtain the release thereof upon and only upon full compliance with the following conditions precedent:

A. Identity; Proof Of Ownership: He shall furnish to the **director of public safety** or his authorized representative satisfactory evidence of his identity and his ownership of said vehicle.

D. Promise To Appear For Criminal Charge: If a criminal charge is made against the owner of such vehicle for the illegal parking thereof or for the operation thereof while said vehicle is improperly registered or without proper license plates, he shall sign a written promise to appear at a time certain, as fixed by the **director of public safety**, to answer such charge, or, if required by the **director of public safety**, or his representative, shall post bail to secure such appearance. It is specifically provided, however, that if the owner of said vehicle resides outside of the county, the posting of bail, as fixed by the justice court judge or any bail commissioner having jurisdiction thereof, to answer such charge, shall be required before such vehicle is released.

E. Order Of Release: He shall obtain the written order of the **director of public safety** or his representative, directing the release of the vehicle by the pound keeper, and upon receiving the vehicle he shall execute a written receipt therefore.

6-3-3: FEES AND STORAGE CHARGES; WAIVER; LIEN:

A. Waiver: If, upon the reclaiming of an impounded vehicle by the owner thereof, it shall be made to appear to the **director of public safety** by evidence satisfactory to him that the said vehicle was stolen from the owner thereof and that the owner is not responsible for the cause for which such vehicle was impounded, the **director of**

public safety may waive the impounding fee, and, if said vehicle has been kept and stored in a pound maintained by the city itself, the storage charges assessed against said vehicle. (1985 Code § 12-3-3; amd. 2001 Code)

6-3-4: NOTICE OF IMPOUNDING:

A. Required: If the owner of an impounded vehicle fails to appear and reclaim it as hereinbefore provided within five (5) days after it is impounded, the director of public safety shall send to the registered owner thereof, and to every owner of legal title thereto or lienholder thereon, as disclosed by the records of the Motor Vehicle Division of the State Tax Commission, a written notice of the impounding of such vehicle and shall state that unless the vehicle is reclaimed within thirty (30) days of the date of giving notice it will be deemed to be abandoned and will be sold by the director of public safety in accordance with the ordinances of the city. The notice shall be sent by the United States registered mail, directed to the persons to be notified at their last known addresses as disclosed by the records of the State Tax Commission as aforesaid. If the director of public safety is unable to ascertain the name or address of any person having an interest in the impounded vehicle, such notice shall, in lieu of mailing by registered mail as aforesaid, be published once in a newspaper having general circulation in the city, and copies thereof shall be mailed to such person or persons as the director of public safety may have reason to believe have or claim some right, title or interest in said vehicle at their last post office address according to the information, if any, received by the director of public safety from sources other than the records of the State Tax Commission aforesaid. (1985 Code § 12-3-5; amd. 2001 Code)

B. Form Of Notice:

1. The notice required by subsection A of this section may be substantially in the following form:

Notice of Impounding and of Intention to Sell Vehicle

To, the owner or owners, and to all other persons claiming any right, title or interest in the vehicle hereinafter described:

Take notice that on the, the following described vehicle, to-wit:

*Make andYearLicenseMotor
body type:model:number:number:*

was parked on a public street of the city of Riverdale, Utah, in violation of (specifying the ordinance or statute violated), or, as the case may be, was operated with improper registration, or was found with the motor number defaced, and was on that date impounded by the city of Riverdale pursuant to Riverdale Municipal Code [title 6, chapter 3](#).

*Said vehicle may be reclaimed as provided in Riverdale Municipal Code [title 6, chapter 3](#) upon application at the office of the **director of public safety**, city of Riverdale police service, Riverdale, Utah. If not so reclaimed within thirty (30) days of the mailing (or publication, as the case may be) of this notice, said vehicle will be deemed abandoned, and will be sold at public auction by the city of Riverdale.*

Dated:

CITY OF RIVERDALE

BY:

director of public safety

2. If the **director of public safety** has not received, within five (5) days of the impounding of such vehicle, information regarding the ownership and claimants of the ownership of such vehicle, he shall note that fact upon the record of impounding kept by him as hereinafter provided, and in such case the notice may be directed generally to "any person claiming any interest in the following vehicle". (1985 Code § 12-3-6; amd. 2001 Code)

6-3-5: SALE OF UNCLAIMED VEHICLES:

A. Authority; Notice; Sale:

1. If any vehicle impounded as hereinbefore provided is not claimed within thirty (30) days after the giving of notice as aforesaid, it shall be deemed to have been abandoned by the owner thereof. At the expiration of which period of time, the **director of public safety** shall advertise such vehicle for sale and sell the same at public auction to the highest bidder for cash. Such advertisement shall be by publication of a notice of sale at least once, not less than seven (7) nor more than fourteen (14) days prior to the time fixed for the sale in a newspaper having a general circulation in the city, and by publicly posting a notice of such sale for not less than seven (7) nor more than fourteen (14) days prior thereto, as follows: one copy at the front door of the city office building; one copy at some other public place in the city to be selected by the **director of public safety**; and one copy at the entrance to the vehicle pound where said vehicle is stored. The **director of public safety**, in his discretion, may further advertise said sale by further notice of advertisement in a newspaper by him deemed to be most likely to give notice to prospective purchasers; provided, that the cost of such additional advertisement does not exceed five dollars (\$5.00), but such additional notice is not required.
2. The notice of sale shall describe the vehicle by manufacturer's trade name or make, body type, year, model, if known, and motor and license numbers, if any, and shall specify the time and place of sale, which shall be within the corporate limits of the city. A copy of the notice of sale shall be mailed to the owner of said vehicle, if known, at their last known address, at least seven (7) days prior to the date of said sale.

3. At the time and place fixed for the sale, the **director of public safety** shall offer for sale and sell the said vehicle at public auction to the highest bidder for cash.
4. At such sale, the city may bid upon and purchase said vehicle. If the city becomes the purchaser at such sale, it may credit upon the purchase price the pound service fee, the storage costs and charges incident to the impounding of the vehicle, and its costs and expenses incident to the making of such sale. If the vehicle is not sold to another purchaser, as hereinbefore provided, the **director of public safety** shall strike off and sell the same to the city for the amount of such service fee, storage costs, charges and expenses. (1985 Code § 12-3-8; amd. 2001 Code)

B. Certificate Of Sale: Upon consummation of the sale and receipt of the purchase price therefor, the **director of public safety** shall deliver possession of the vehicle to the purchaser and shall also execute and deliver to the purchaser his certificate of such sale. The certificate shall describe the vehicle in substantially the same manner as the notice of impounding, shall recite the fact of the sale, the price paid, and the purchaser's name and address, and shall contain a reference to subsection A of this section, which constitutes the authority for the sale. A copy of the certificate shall be filed with the city recorder. (1985 Code § 12-3-9; amd. 2001 Code)

C. Disposition Of Monies Received: All monies received by the **director of public safety** upon the sale of such vehicle shall be deposited in the city treasury. At any time within one year from and after such sale, the former owner of the vehicle sold, upon application to the city council, and upon presentation of satisfactory proof of ownership of the vehicle sold, shall be paid the proceeds of such sale, less the impounding fee, storage charges and expenses of sale hereinbefore provided. If the proceeds of such sale are not reclaimed within the said period of one year, they shall be credited to the general fund of the city. (1985 Code § 12-3-10; amd. 2001 Code)

6-3-6: RECORDS MAINTAINED:

The **director of public safety** shall keep a record in duplicate of all vehicles impounded by manufacturer's trade name or make, body type, year, model and license number, the names of the owners of such vehicles, if the same are know, and the names and addresses of all persons claiming the same, and such other descriptive matter as may identify such vehicle, the nature and circumstances of the impounding thereof, and the violation, if any, on account of which such vehicles were impounded, the date of such impounding, the name and address of any person to whom any such vehicle is released, a record of all notices given with respect to the impounding and sale of such vehicle, and a record of the sale thereof, if any. Whenever such vehicle has been sold, as hereinbefore provided, one of the copies of such record shall be filed with the city recorder with the certificate of sale, and a copy of the affidavit of the giving of notice upon the impounding and sale of such vehicle. (1985 Code § 12-3-11; amd. 2001 Code)

6-3-7: DESIGNATION OF VEHICLE POUND AND TREATMENT OF VEHICLE:

The **director of public safety**, with the approval of the city council, shall designate such vehicle pounds and appoint such vehicle pound keepers to have charge thereof as may be necessary or convenient to carry out the provisions hereof, and agree with such pound keepers as to the terms of their service. No person having charge over the impounded vehicle shall operate or allow a vehicle to be operated without prior written permission of the owner of the vehicle unless the operation is incidental and necessary to move the vehicle from one parking space to another within the facility and is necessary for the normal management of the facility. The police officer shall record the mileage shown on the vehicle's odometer at the time of seizure if that information is accessible. (1985 Code § 12-3-12; amd. 2001 Code)

10-25-5: PRELIMINARY PLAN REQUIRED:

C. Time Limit Of Approval: Approval of the preliminary site plan by the planning commission shall be valid for a maximum period of twelve (12) months, unless, upon application of the developer, the planning commission grants an extension. After compliance with the requirements of the planning commission, city engineer, fire marshal, **director of public safety**, public works director and community development director, a final site plan shall be prepared and submitted to the planning commission for recommendation to the city council for final approval. The final site plan shall be in conformance with city ordinances and design standards and if applicable, a development agreement. (Ord. 701, 5-6-2008)

1-4-4: MISDEMEANOR CITATIONS:

F. Fix-It Tickets:

1. Established: There is hereby established in the city a fix-it ticket program for the enforcement of city zoning, business license, building code and fire code violations. Said fix-it tickets may be issued by the following personnel: building official, animal control officer, police officers and selected fire service personnel. The director of public safety shall designate which persons from the fire service may issue said citations. (1985 Code § 13-15-6; amd. 2001 Code)

1-7-3: APPEAL BOARD:

The policies and procedures of Riverdale City concerning an appeal board shall be established and recognized more fully in, and as a part of, the city's personnel policy.

- A. Purpose: The purpose of this section is to establish a procedure whereby the city can establish an appeal board to hear appeals of all appointive officers and employees of the city, except for members of the police service, fire service and heads of departments, who are discharged or transferred from one position to another.

1-12-8: FIRE SERVICE FEES:

(Res. 2010-06, 3-16-2010)

3-5-10: ISSUANCE OF LICENSE:

- A. Within Thirty Days; Exceptions: The community development administrator shall approve the issuance of a license to the applicant within thirty (30) days after receipt the application, unless the administrator finds one or more of the following:
5. The premises to be used for the business has been disapproved by the County Health Department, the fire service, the city building officials or the city zoning officials as not being in compliance with applicable laws and ordinances of the city. If any of the foregoing reviewing agencies cannot complete their review within the thirty (30) day approval or denial period, the agency or department may obtain from the community development administrator an extension of time for their review of no more than fifteen (15) days. The total time for the city to approve or deny a license shall not exceed forty five (45) days from receipt of an application. Businesses located outside the corporate boundaries of the city, but requiring a license under this chapter, may be denied a license pursuant to this chapter if the business does not have a valid business license to conduct business at the business location from the appropriate jurisdiction for that location. (1985 Code § 11-8-16; amd. 2001 Code)

4-1-1: ESTABLISHED; ORGANIZATION:

- A. There is created and established a **fire service** consisting of such officers and firefighters as may from time to time be provided for by the mayor and city council. The officers and firefighters shall be appointed in an appropriate manner, as provided by law, city ordinance and city personnel policy. (1985 Code §§9-1-1; amd. 2001 Code)
- B. The **fire service** shall have an organization approved by the city council, which approval may be given by resolution duly adopted by the city council. (1985 Code §§9-1-4; amd. 2001 Code)

4-1-2: DIRECTOR OF PUBLIC SAFETY; SUPERVISION OVER **FIRE SERVICE:**

The director of public safety shall have control, subject to the order and direction of the mayor and city council, of the **fire service** and all fire apparatus belonging to the city. (1985 Code §§9-1-2; amd. 2001 Code)

4-1-3: DUTIES AND RESPONSIBILITIES:

- A. Command At Fires: In case of fire, the deputy or the officer of the highest rank at the fire shall take command of the **fire service** and direct the management thereof for the suppression of the fire, in the best manner possible. (1985 Code §§9-1-3; amd. 2001 Code)
- C. Fire Prevention: It shall be the function and duty of the **fire service** and every officer and firefighter thereof to extinguish accidental or destructive fires and to prevent the occurrence or spread of such fires. (1985 Code §§9-1-6; amd. 2001 Code)

4-1-5: AGREEMENTS WITH OTHER AGENCIES:

The city may contract with other governmental units for cooperative **fire protection service** in accordance with the provisions of Utah Code Annotated [title 11, chapter 13](#), as amended. (1985 Code §§9-1-8)

7-4A-8: COMPLIANCE WITH SPECIFICATIONS; SITE PERMITTEE IDENTIFICATION:

C. Manner Of Excavations, Generally; Barricades: All excavations shall be conducted in a manner resulting in a minimum amount of interference or interruption of street or pedestrian traffic. Inconvenience to residents and businesses fronting on the public way shall be minimized. Suitable, adequate and sufficient barricades and/or other structures will be available and used where necessary to prevent accidents involving property or persons. Barricades must be in place until all of the permittee's equipment is removed from the site and the excavation has been backfilled and proper temporary gravel surface is in place. The permittee shall have a professional patching crew repair all road cuts. The permittee will be responsible for the patch for a period of one year. If the patch fails within one year, the permittee will be notified to replace the patch. If the permittee fails to replace the patch within ten (10) days, the city will use the deposit to replace the patch. If the patch remains functional for one year, the deposit will be returned. From sunset to sunrise, all excavations and intrusions into the right of way shall be clearly and properly barricaded in accordance with the "manual on uniform traffic control devices". The permittee shall notify the police service and fire service at least twenty four (24) hours in advance of any planned excavation requiring street closure or traffic detour. (Ord. 555, 1-20-1999; amd. 2001 Code)

10-9G-11: GENERAL REQUIREMENTS:

G. Compliance With Laws: In addition to the requirements as set forth in this article, all uses shall be established and constructed in compliance with all existing state and local statutes, ordinances, codes and regulations, including the rules and regulations of the County Health Department and/or State Department of Health, local, county and state law enforcement agencies and fire service.

10-9G-15: ELECTRIC SERVICE, WIRING, FUEL AND FIRE PROTECTION:

C. Fire Protection: All mobile home parks shall be subject to the rules and regulations of the fire service and in accordance with the international fire code and applicable standards. (1985 Code §-22-18; amd. 2001 Code)

10-16-2: GENERAL PROVISIONS:

P. Sign Not To Cover Windows, Doors Or Similar Openings: No sign shall cover a window, doorway or other opening providing light, ventilation or exit facilities which are required by the building code or which are deemed by the fire service to be necessary to give the fire service access to the building, or to afford fire protection in the event of a fire.

10-21-5: PRELIMINARY PLAN:

A. Required: Upon completing the requirements set forth in section [10-21-4](#) of this chapter, each person who proposes to subdivide land in the city shall prepare a preliminary plan of such subdivision and shall submit eight (8) black and white prints thereof to the planning commission. One print shall be delivered by the planning commission to each of the following for the information and recommendation of such officials and departments: city engineer, **fire service** and each company or agency furnishing water, electric or gas service. Preliminary plans must be received by the planning commission ten (10) days prior to the next scheduled planning commission meeting in order to allow sufficient time to be checked and to receive recommendations from the foregoing listed agencies. (1985 Code § 19-40-5; amd. 2001 Code)

10-21-11: IMPROVEMENTS:

5. In the event a utility easement or easements are provided to the city in connection with the installed improvements, the utility line shall be placed as close to the center of said easement as is reasonably possible.

C. Standards: Standards for design, construction, specifications and inspection of street improvements, curbs and gutters, sidewalks and drainage facilities shall be prepared by the city engineer, standards of design and procedure by the planning commission, standards for water distribution and sewage disposal facilities by the state board of health and city engineer, and similar standards for fire hydrants by the city engineer and **fire service**. Such standards and rules and regulations, and any amendments thereto, before becoming effective, shall be adopted or amended by the city council as a part of this chapter after recommendation by the planning commission and shall be available to the public.

H. Fire Hydrants: Fire hydrants shall be installed by the subdivider at locations determined by the city engineer and **fire service** in all subdivisions in accordance with the standards, rules and regulations of the city.

10-22-5: SPECIFIC REQUIREMENTS:

B. Yard Requirements: The property adjacent to the planned residential unit development shall not be adversely affected and to this end, the planning commission may require, in the absence of appropriate physical boundaries, that uses of least intensity or greatest compatibility be arranged around the boundaries of the project. Yard requirements for setbacks and spacing distances between dwellings shall be approved by the planning commission and subject to the review and requirements of **fire service** and building department and shall comply with the following:

1. No rear yard setback of any dwelling within the PRUD shall be closer than twenty feet (20') to adjacent zone boundary or property outside of the PRUD.

10-25-7: IMPROVEMENTS:

C. Standards: Standards for design, construction, specifications and inspection of street improvements, curbs and gutters, sidewalks and drainage facilities shall be prepared by the city engineer, standards of design and procedure by the planning commission, standards for water distribution and sewage disposal facilities by the state board of health and city engineer, and similar standards for fire hydrants by the city engineer and fire service. Such standards and rules and regulations, and any amendments thereto, before becoming effective, shall be adopted or amended by the city council as a part of this chapter after recommendation by the planning commission and shall be available to the public.

H. Fire Hydrants: Fire hydrants shall be installed by the developer at locations determined by the city engineer and fire service in all developments in accordance with the standards, rules and regulations of the city.

1-7-3: APPEAL BOARD:

The policies and procedures of Riverdale City concerning an appeal board shall be established and recognized more fully in, and as a part of, the city's personnel policy.

A. Purpose: The purpose of this section is to establish a procedure whereby the city can establish an appeal board to hear appeals of all appointive officers and employees of the city, except for members of the **police service**, fire service and heads of departments, who are discharged or transferred from one position to another.

1-12-7: POLICE SERVICE FEES:

Police service fees shall be as follows:

(Res. 2010-08, 4-6-2010)

3-1-8: VACANT LOTS, PARKING LOTS OR AREAS FOR USED VEHICLE LOTS:

B. Nuisance Declared; Notice Of Removal: Any vehicle parked in violation of this section is declared to be a public nuisance. A notice of violation shall be placed upon the vehicle and if the vehicle is not removed within twenty four (24) hours thereafter, if the property owner or lessee does not have a current city business license authorizing him to engage in the business of selling motor vehicles, trailers or boats at that location, the vehicle may be impounded as a nuisance to be released to the owner or responsible party only after the **police service** has received a receipt for the same acknowledging responsibility of that person for the item being unlawfully parked. Impoundments under this section shall be accomplished in accordance with the provisions and procedures outlined under [title 6, chapter 3](#) of this code. (1985 Code § 11-1-19; amd. 2001 Code)

3-2-3: APPLICATION; PROCEDURE:

A. Form Of Application; Change Of Form:

2. The city council is hereby empowered to change, modify or amend the city liquor license application form, as set forth in section [3-2-13](#) of this chapter, by resolution duly presented and voted upon by said council. (1985 Code § 3-2-1.1)

B. Investigation Of Applicant: The **police service** shall examine all applications and investigate all applicants for licenses under this chapter. Following such examination and investigation, the recommendations of the **police service** shall be made in writing to the city council. (1985 Code § 3-2-2; amd. 2001 Code)

3-2-5: GRANTING OR DENYING LICENSE:

Upon receipt of a completed application, all required attachments thereto, the required license fee, and the investigative report of the **police service**, and providing the applicant is deemed qualified under the criteria set forth in subsection 3-2-3C of this chapter, the city council may conduct such further investigations and hold such hearings as it may deem appropriate for the purpose of determining whether to issue the requested license, taking into consideration those matters set forth in subsection 3-2-3D of this chapter, and may either grant or deny the same, as in the exercise of its discretion it determines best. In the event the city council denies the issuance of the license, it shall set forth in writing delivered to the applicant, the reasons for the denial. (1985 Code § 3-2-5; amd. 2001 Code)

3-2-13: STREAMLINED PROCEDURE:

B. Procedure: Those applicants who are qualified to use this streamlined procedure in accordance with subsection A of this section, may apply for a new license by submitting the following:

6. In addition, the **police service** shall make an investigation and submit a report as it would for an initial liquor license application. (1985 Code § 3-7-2; amd. 2001 Code)

3-5-7: APPLICATION FOR LICENSE:

Before any applicant may be licensed to operate a sexually-oriented business or as a sexually-oriented business employee pursuant to this chapter, the applicant shall submit, on a form to be supplied by the business license authority, the following:

F. Photographs: Attached to the form as provided above, two (2) color photographs of the applicant clearly showing the individual's face and the individual's fingerprints on a form provided by the **police service**. For persons not residing in the city, the photographs may be on a form from the law enforcement jurisdiction where the person resides. Any fees for the photographs and fingerprints shall be paid by the applicant. (1985 Code § 11-8-12; amd. 2001 Code)

3-5-13: LICENSE; SPECIFIC REGULATIONS:

A. Notice Of Change Of Information: Any change in the information required to be submitted under this chapter for either a sexually-oriented business license or sexually-oriented business employee license shall be given, in writing, to the community development administrator and the **police service** within fourteen (14) days after such change. (1985 Code § 11-8-18; amd. 2001 Code)

3-6-4: RULES, REGULATIONS AND REQUIREMENTS:

B. Report Required: It shall be the duty of every swap meet licensee to report to the **police service** any article he or she has reason to believe was stolen or lost, and found by the person attempting to sell it. (1985 Code § 11-5-5; amd. 2001 Code)

3-7-3: APPLICATION; INVESTIGATION:

A. Required; Character References: All applications for a license to carry on the business of a pawnbroker shall be submitted to the city council and shall be accompanied by three (3) character references of the applicant to be used by the **police service** to conduct an investigation into the background of the applicant.

B. Recommendation: After the **police service** has completed its investigation into the background of the applicant, the director of public safety shall make a written recommendation to the city council as to whether or not the license should be granted.

3-7-4: RULES, REGULATIONS AND REQUIREMENTS:

D. Record Keeping Duty; Right Of Inspection:

4. Every pawnbroker shall provide the cards required by subsection D2 of this section to the **police service** periodically as the **police service** directs. (1985 Code § 11-7-8; amd. 2001 Code)

5-1A-1: MEMBERSHIP:

A. Established; Appointments: A police reserve corps is hereby established as a voluntary organization composed of persons appointed by the mayor, by and with the consent and approval of the city council, said persons to serve gratuitously. The members of said police reserve corps, when ordered by the mayor or director of public safety, may assist regular officers of the **police service** in the performance of law enforcement service which may be required. Membership in the police reserve corps shall be open to both men and women over the age of twenty five (25) years. (1985 Code § 14-2-1; amd. 2001 Code)

5-1A-7: POLITICAL ACTIVITIES:

Members of the police reserve corps established under the authority of this article shall be subject to the same restrictions on their political activities as are imposed by the police policy manual on regular members of the **police service**. (1985 Code § 14-2-9; amd. 2001 Code)

5-1B-2: PROPERTY NOT NEEDED AS EVIDENCE; RETURN:

Property so obtained which is not needed as evidence shall be returned to the owner if he may lawfully possess it. When the police officer or the **police service** becomes aware that the property is not needed, the prosecuting attorney shall be so advised, giving a description and details of ownership. When the prosecuting attorney, by such notice or otherwise, becomes aware that the property is not needed, he shall give written notice to the owner. Upon proof of ownership and of lawfulness of possession satisfactory to the prosecuting attorney, the prosecuting attorney shall give the owner written authorization which shall entitle the owner to receive the property from the person having custody of it. When property so obtained is received in evidence, it shall be retained by the clerk of the court last receiving it or shall be returned by him to the custody of the peace officer until all direct appeals and retrials are final, at which time the property shall be returned in accordance with this section. In the event that the prosecuting attorney considers it necessary to retain control over the evidence, in anticipation of possible collateral attacks upon the judgment or of use in some potential prosecution, he may decline to authorize return. (1985 Code § 14-3-2; amd. 2001 Code)

5-1B-3: RECEIPT FROM OWNER OF RETURNED PROPERTY:

Whenever property is returned to the owner, a receipt shall be taken from him listing in detail the property returned. The receipt shall be retained as a permanent record in the files of the **police service** or the court where the case is finally resolved. (1985 Code § 14-3-3; amd. 2001 Code)

5-2-2: GREENWAY TRAIL SYSTEM REGULATIONS:

I. Enforcement: The **police service**, other state law enforcement agencies, the public works department, recreation department, community development administrator and city administrator shall have enforcement powers with regard to this section, and each shall diligently enforce the provisions of this section.

6-3-4: NOTICE OF IMPOUNDING:

B. Form Of Notice:

1. The notice required by subsection A of this section may be substantially in the following form:

Notice of Impounding and of Intention to Sell Vehicle

To, the owner or owners, and to all other persons claiming any right, title or interest in the vehicle hereinafter described:

Take notice that on the, the following described vehicle, to-wit:

*Make andYearLicenseMotor
body type:model:number:number:*

was parked on a public street of the city of Riverdale, Utah, in violation of (specifying the ordinance or statute violated), or, as the case may be, was operated with improper registration, or was found with the motor number defaced, and was on that date impounded by the city of Riverdale pursuant to Riverdale Municipal Code [title 6, chapter 3](#).

Said vehicle may be reclaimed as provided in Riverdale Municipal Code [title 6, chapter 3](#) upon application at the office of the director of public safety, city of Riverdale [police service](#), Riverdale, Utah. If not so reclaimed within thirty (30) days of the mailing (or publication, as the case may be) of this notice, said vehicle will be deemed abandoned, and will be sold at public auction by the city of Riverdale.

Dated:

CITY OF RIVERDALE

*BY:
director of public safety*

6-4-5: TRAILERS, RECREATIONAL VEHICLES; EXCEPTION:

B. Exception: With a valid permit, a resident of the city will be permitted to park a vehicle with a registered gross weight capacity of twelve thousand (12,000) pounds or more on a city street in order to make light repairs for no longer than four (4) hours where such parking and repairs pose no substantial hazard to the city. Permits shall be obtained from the [police service](#) headquarters during normal business hours. (Ord. 743, 9-15-2009)

7-4A-8: COMPLIANCE WITH SPECIFICATIONS; SITE PERMITTEE IDENTIFICATION:

C. Manner Of Excavations, Generally; Barricades: All excavations shall be conducted in a manner resulting in a minimum amount of interference or interruption of street or pedestrian traffic. Inconvenience to residents and businesses fronting on the public way shall be minimized. Suitable, adequate and sufficient barricades and/or other structures will be available and used where necessary to prevent accidents involving property or persons. Barricades must be in place until all of the permittee's equipment is removed from the site and the excavation has been backfilled and proper temporary gravel surface is in place. The permittee shall have a professional patching crew repair all road cuts. The permittee will be responsible for the patch for a period of one year. If the patch fails within one year, the permittee will be notified to replace the patch. If the permittee fails to replace the patch within ten (10) days, the city will use the deposit to replace the patch. If the patch remains functional for one year, the deposit will be returned. From sunset to sunrise, all excavations and intrusions into

the right of way shall be clearly and properly barricaded in accordance with the "manual on uniform traffic control devices". The permittee shall notify the **police service** and fire service at least twenty four (24) hours in advance of any planned excavation requiring street closure or traffic detour. (Ord. 555, 1-20-1999; amd. 2001 Code)