

TITLE 5

CHAPTER 1

**OFFENSES AND CRIMES**

SECTION:

- 5-1-1: Criminal Code Adopted by Reference
- 5-1-2: Disturbing the Peace
- 5-1-3: Public Property

**5-1-1: CRIMINAL CODE ADOPTED BY REFERENCE**

Except insofar as the application thereof is clearly impractical or inappropriate, in view of the context of purposes or penalty as provided, all of the definitions, requirements, regulations, prohibitions, penalties, provisions and sections of the Utah Criminal Code, Utah Code Annotated title 76, as amended, with a corresponding penalty of infraction, class C misdemeanor or class B misdemeanor, are hereby adopted by the city. Any and all violations thereof shall be considered violations of this section and each such violation shall be subject to the penalties provided in Section 1-4-1 of this code. (2005 Code)

**5-1-2: DISTURBING THE PEACE**

- A. Noise: It is a class C misdemeanor, subject to penalty as provided in section 1-4-1 of this code, for any person to disturb the peace or quiet of any neighborhood, family or person by loud or unusual noises, by tumultuous or offensive conduct. (As described in Utah State Code Annotated, 2005 Code)
- B. Loudspeakers:
  - 1. It is an infraction, subject to penalty as provided in Section 1-4-1 of this code, for any person to maintain, operate, connect or suffer or permit to be maintained, operated or connected any calliope or radio apparatus, sound device or any talking machine or loudspeaker attached thereto in such a manner that the loudspeaker or amplifier causes the sound from such radio apparatus or sound device or talking machine to be projected directly therefrom outside of any building, vehicle or out of doors; provided, that the city may grant a permit to so broadcast any events or happenings of cultural, political, intellectual or religious interest. Every person desiring a permit to so broadcast shall make application, file a statement showing the place where he proposes to broadcast, the times and probable duration, and the nature, topics or titles of said broadcast. Said permit shall not be arbitrarily denied and when an application for a permit is denied, the city shall set forth in writing and with particularity the grounds for so denying the application for a permit.
  - 2. Nothing herein contained shall be construed to prevent the operation of a radio apparatus, sound device, amplifier or talking machine used in a reasonable

manner by any person within any building, vehicle or structure even though the sound therefrom may be heard on the outside of such building, vehicle or structure; provided, that the said apparatus, sound device, amplifier or talking machine shall not project the sound therefrom directly outside of any building, vehicle or out of doors; and provided further, that no such radio apparatus, sound device, amplifier or talking machine is in any way fastened to or connected with any outside wall or window in any building, vehicle or structure so that sound therefrom is projected outside of such walls or window. (As described in Utah State Code Annotated, 2005 Code)

**5-1-3: PUBLIC PROPERTY**

- A. Public Property Defined: For the purpose of this section, "public property" means any publicly owned property except the traveled portion of public streets, and includes any park, sidewalk, curb or any part of any public right of way devoted to any planting or park like use. (As described in Utah State Code Annotated)
  
- B. Unlawful Acts: On any public property, it is unlawful for any person to:
  - 1. Willfully mark, deface, disfigure, injure, tamper with, displace or remove any building, railing, bench, paving, paving material, water line or any facilities or property and equipment of any public utilities or parts or appurtenances thereof, signs, notices or placards, whether temporary or permanent, monuments, stakes, posts or other boundary markers, wall or rock border, or other structures or equipment, facilities or public property or appurtenances, either real or personal.
  - 2. Soil or litter public restrooms and washrooms.
  - 3. Dig and remove any sand, soil, rock, stones, trees, shrubs or plants, down timber or other wood or materials, or make any excavation by tool, equipment, blasting or other means or agency, unless permission is obtained.
  - 4. Urinate or defecate, except in a public restroom in receptacles placed there for such purpose. (As described in Utah State Code Annotated, 2005 Code)