

HILDALE CITY ORDINANCE No. 2022-001

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF
HILDALE, APPROVING THE FINE/BAIL SCHEDULE FOR CITY CODE
VIOLATIONS**

WHEREAS, the City of Hildale (the “City”) is a municipal corporation of the State of Utah, organized and existing under Utah law, and has adopted codes which may be enforced as a class B misdemeanor, a class C misdemeanor and as an infraction; and

WHEREAS, violations of the City Code are prosecuted in the Hildale Justice Court and the court requires a fine/bail schedule to be adopted by the City for City Codes; and

WHEREAS, the City Council finds that it is in the best interests of the health, safety, and welfare of the inhabitants of Hildale to adopt a fine/bail schedule for the violation of City Codes; and

WHEREAS, the City Council now desires to adopt this ordinance approving the fine/bail schedule for City Code violations.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF HILDALE,
UTAH:**

Section 1. The Hildale City Council hereby adopts the fine/bail schedule set out in the document described ‘Hildale City Addition to the Shared Master Offense Table (SMOT)/Fine/Bail Schedule’ attached hereto as Exhibit A, incorporated herein by reference.

Section 2. The Hildale City Council approves adding Exhibit A to the SMOT, which contains all active state, county, and municipal offense codes.

Section 3. Some of the City Code violations, namely those violations designated as class B and class C misdemeanors, include the possibility of imprisonment, therefore, the City is required, under Section 78B-22-301 Utah Code Ann., to provide indigent defense services as defined in Section 78B-22-102 Utah Code Ann.

Section 4. Should any part or provision of this Ordinance or of the plan adopted herein be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of any part of the Ordinance or plan other than the part so declared to be unconstitutional or invalid.

Section 5. This ordinance shall become effective immediately after publication or posting as required by law.

**PASSED AND ADOPTED BY THE HILDALE CITY COUNCIL, STATE OF UTAH, ON
THIS 5TH DAY OF JANUARY 2022.**

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| | | YES | NO | ABSTAIN | ABSENT |
|-----------------|----------------|-----|----|---------|--------|
| Lawrence Barlow | Council Member | | | | |
| JVar Dutson | Council Member | | | | |
| Brigham Holm | Council Member | | | | |
| Terrill Musser | Council Member | | | | |
| Stacy Seay | Council Member | | | | |

Donia Jessop, Mayor

Attest:

(seal)
Athena Cawley, City Recorder