

HILDALE CITY ORDINANCE No. 2022-02

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF THE CITY OF
HILDALE, APPROVING THE AMENDMENT TO THE FINE/BAIL
SCHEDULE FOR CITY CODE VIOLATIONS RELATING TO ANIMAL
CARE AND CONTROL**

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 Code violations; and

WHEREAS, on or about January 5,2022, the City passed and adopted an Ordinance Approving the Fine/Bail Schedule for City Code Violations (Ordinance No.2022-001);

WHEREAS, residents of the City have expressed ongoing concerns to the City Council about issues and City Code violations relating to animal care and control;

WHEREAS, the City Council finds that it is in the best interests of the health, safety and welfare of the inhabitants of the City to adopt an amendment to the Fine/Bail Schedule for City Code Violations (Ordinance No.2022-001) as it specifically relates to fines for certain first and ongoing offenses under City Code Article 90-V Animal Care and Control; and

WHEREAS, the City Council now desires to adopt this Ordinance approving this amendment to the fine/bail schedule for City Code violations relating to certain offenses under Article 90-V Animal Care and Control.

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

Section 1. The Hildale City Council hereby adopts the amended fine/bail schedule set out in the document described ‘Hildale City Addition to the Shared Master Offense Table (SMOT)/Fine/Bail Schedule (Article 90-V Animal Care and Control)’ attached hereto as Exhibit A, incorporated herein by reference.

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

Section 3. The City Code violations designated as 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

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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 6TH DAY OF APRIL, 2022.

		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