

ORDINANCE 24-10

WHEREAS, on January 6, 1994, the Hyrum City Council passed and posted an ordinance adopting the "Hyrum City Municipal Code", a recodification of municipal ordinances encompassing the "Revised Ordinances of Hyrum City" and ordinances adopted through July 15, 1993; and

WHEREAS, Title 9 of the Hyrum City Municipal Code sets forth those regulations pertaining to public peace, morals, and welfare, along with the classification of those offenses by or against minors including curfew; and

WHEREAS, Section 9.40.070 prohibits any person to loiter or trespass during non-business hours upon public property owned by Hyrum City; and

WHEREAS, City Staff has reviewed and is recommending amending Section 9.40.070 to update city property with current names and addresses.

NOW, THEREFORE, the City Council of Hyrum City, Cache County, State of Utah, hereby adopts, passes, and publishes the following:

AN ORDINANCE AMENDING SECTION 9.40.070 PUBLIC PROPERTY - LOITERING OR TRESPASSING UPON OF CHAPTER 9.40 OFFENSES RELATING TO PROPERTY OF TITLE 9 PUBLIC PEACE, MORALS, AND WELFARE OF THE HYRUM CITY MUNICIPAL CODE TO UPDATE CITY PROPERTY NAMES AND ADDRESSES.

BE IT ORDAINED by the City Council of Hyrum City, Cache County, State of Utah, as follows:

1. Section 9.40.070 of Title 9 of the Hyrum City Municipal Code is hereby amended to read as follows:

**9.40.070 Public Property-Loitering Or Trespassing Upon**

- A. It is unlawful for any person to loiter or trespass during non-business hours, as herein defined, upon public property owned by Hyrum City, including city offices, the library building, parks, cemetery and surrounding properties adjacent to public buildings owned by the city, unless such person is on the property for lawful business purposes, i.e., to attend meetings that may be scheduled by city officials or other authorized persons having business in the building or upon the property.

- B. The term "city property," as used in this section, means the area where the city hall is located, including the area surrounding the park, the city shops, and the fire station. Locations are as follows:\
1. Fire station: ~~25~~ 30 North ~~First~~ 100 West and ~~83~~ West Main Street;
  2. East Park: between Park Avenue (675 East) and 800 East and between Main and Park Drive;
  3. Hyrum City cemetery: between ~~5<sup>th</sup>~~ 500 East and ~~6<sup>th</sup>~~ 600 East and between 1<sup>st</sup> 100 North and Main and its associated maintenance yard between 600 East and Park Avenue;
  4. Hyrum ~~cultural building~~ 290 South Center public works yards: various locations;
  5. Elite dancehall: ~~88 North Main~~ 98 West Main;
  6. Hyrum wastewater treatment plant: ~~810 West~~ 700 North 865 North 900 West;
  7. Hyrum power plants and park: ~~Seven and one-half miles up~~ including those located in Blacksmith Fork Canyon;
  8. Hyrum City Senior Center at 695 East Main Street;
  9. Hyrum City campgrounds, parks, and trails; and
  10. Any other property that comes under the jurisdiction of the city.
- C. The previously described properties are closed to the public during non-business hours. No person shall trespass upon the public property from the hours of seven p.m. daily until regular business hours of the next business day, or on Saturdays, Sundays or legal holidays, with the exception of the power plant park up Blacksmith Fork Canyon, the city square, picnic areas, and where other reservations may have been made or as otherwise approved by City Council.
- D. Any peace officer of Hyrum City is authorized to enforce the provisions of this section and make arrests for any violations thereof.
- E. It is unlawful for any person to fail to comply with the lawful order of any peace officer to move from such public properties as herein defined.
- F. It is unlawful for any person to remain on such public properties during the time it is declared to be closed for public usage except as provided herein.

2. REPEALER. All ordinances, resolutions, and regulations of the city, or parts thereof inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This

repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

3. DECLARATION OF SEVERABILITY. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Hyrum City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

4. EFFECTIVE DATE. This ordinance shall become effective upon posting three (3) copies in three (3) public places within Hyrum City.

5. ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 19th day of September, 2024.

HYRUM CITY

BY: \_\_\_\_\_  
Stephanie Miller  
Mayor

ATTEST:

\_\_\_\_\_  
Stephanie Fricke  
City Recorder

Posted: \_\_\_\_\_