

RESOLUTION NO. 09-03-2021

A RESOLUTION AMENDING THE SANTAQUIN CITY UNIFORM BAIL SCHEDULE FOR FINES APPLICABLE TO CRIMINAL VIOLATIONS OF VARIOUS SANTAQUIN CITY ORDINANCES

WHEREAS, the City of Santaquin is a fourth class city of the state of Utah; and

WHEREAS, Utah cities are authorized by the Legislature to enact ordinances in order to promote and protect the health, safety and welfare of the people; and

WHEREAS, on July 18, 2012, the City Council adopted Ordinance No. 07-01-2012, establishing a schedule for fines applicable to criminal violations of various Santaquin City ordinances, and providing for future amendment of said schedule by resolution; and

WHEREAS, the City Council now desires to amend the Santaquin City Uniform Bail Schedule to promote the health, safety and welfare of the City and its residents.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SANTAQUIN, UTAH, AS FOLLOWS:

I. Amendment of Ordinance Bail Schedule. The Santaquin City Uniform Bail Schedule Santaquin City Ordinances is hereby amended to read as set forth in Exhibit A hereto.

II. Effective Date. This ordinance shall become effective upon passage.

ADOPTED AND APPROVED on the ____ day of _____ 2021.

Mayor Kirk F. Hunsaker

Attest:

K. Aaron Shirley
Santaquin City Recorder

EXHIBIT “A”

Santaquin City Uniform Fine Schedule

INTENT

It is the intent of the Uniform Fine Schedule to assist the sentencing judge in determining the appropriate fine to be imposed as a condition of the sentence in a particular case and to minimize disparity in sentencing for similar offenses and offenders. The schedule includes mandatory minimums for violation of the respective codes but is not intended to supplant or to minimize a court’s authority to impose a just sentence. In the event that a specific offense is also listed in the State of Utah Uniform Fine Schedule, the more stringent penalty shall apply.

AUTHORITY

This fine schedule and noted criminal offenses are made under authority of Utah Code §10-3-703 and §10-8-84.

GUIDE TO THE UNIFORM FINE SCHEDULE

Violation Code Column

The code for the violation based on City code notation practice.

Description Column

A summary description of the applicable violation.

Fine Amounts and Severity of Offense Column

This column is broken down into three parts: “1st” indicates the minimum fine and severity for the first offense under the listed violation code, “2nd” indicates the minimum fine and severity for a second offense under the listed violation code, “3rd or more” indicates the minimum fine and severity for offenses under the violation code after a second offense.

Fine amounts are preceded by the dollar (\$) sign.

The severity of the offense is noted after the indicated fines by a parenthetical IN, MC or MB. (IN) stands for an infraction. (MC) stands for a class C Misdemeanor. (MB) stands for a class B Misdemeanor.

Note that some violation codes will result in increased fines or class severity depending on the number of offenses under that code. If a single fine and severity class is identified across the three offense columns, then this indicates that the fine and severity does not change based on the number of offenses under that violation code.

Violation Code	DESCRIPTION	FINE amounts and SEVERITY of offense		
		1 st	2 nd	3 rd or more
3.04.030	Failure to Maintain Business License	\$500 (IN)		
3.04.070	Proper display of business license	\$50 (IN)		
3.08.050	Failure to Charge/Pay Sales Tax	\$500 (MB)		
3.16	Liquor Code violations	\$500 (MB)	\$750 (MB)	\$1000 (MB)
3.32.050	Door to Door Solicitation Violation	\$150 (IN)	\$500 (IN)	\$750 (IN)
3.32.160	Using prohibited solicitor practices	\$150 (IN)	\$500 (IN)	\$750 (IN)
4.04.050A	Interference with fire operations	\$750 (MB)		
4.04.050B	Accumulation of inflammable materials	\$250 (IN)		
4.04.050C	Illegal Burning (Negligent)	\$250 (IN)	\$500 (IN)	\$750 (IN)
4.04.050D	Driving over Fire Hose	\$250 (IN)		
4.04.050E	Parking Near Fire Hydrant	\$50 (IN)	\$100 (IN)	\$200 (IN)
4.04.050F	False Fire Alarms	\$50 (IN)	\$100 (IN)	\$200 (IN)
4.04.060	Illegal use of fireworks	\$500 (MB)	\$750 (MB)	\$1000 (MB)
4.08.030.B.1	Befouling culinary water sources (See also 8.04.150)	Maximum allowed (MB)		
4.08.030.B.2	Nuisance Privies, Cesspools, Private treatment systems (See also 8.08.110)	\$50 (IN)	\$100 (IN)	\$200 (IN)
4.08.030.B.3	Unclean or offensive garbage containers (See also 4.20.060)	\$50 (IN)	\$100 (IN)	\$200 (IN)
4.08.030.B.4	Garbage Accumulation (See also 4.08.080 and 4.20.070)	\$250 (IN)	\$500 (IN)	\$750 (IN)
4.08.030.B.5	Manure Accumulation to offensive degree	\$50 (IN)		
4.08.030.B.6	Slaughterhouses kept in unclean or nuisance state	\$250 (IN)		
4.08.030.B.7	Discharging Offensive water or liquid waste	\$250 (IN)	\$500 (IN)	\$750 (IN)
4.08.030.B.8	Collecting grease, offensive matter	\$50 (IN)	\$100 (IN)	\$200 (IN)
4.08.030.B.9	having a fly or mosquito producing condition	\$50 (IN)		
4.08.030.B.10	Not providing sanitary facilities where required for bunk house or place of employment (See also 9.04.130)	\$250 (IN)		

4.08.030.B.11	Repository of stagnant water or decaying or offensive substance	\$50 (IN)		
4.08.050	Non-compliant sewer or restroom facilities (See also 8.08 and 9.04)	\$50 (IN)		
4.08.060	Blocking water courses	\$250 (IN)	\$500 (IN)	\$750 (IN)
4.08.070	Weeds and deleterious objects	\$250 (IN)	\$500 (IN)	\$750 (IN)
4.08.080	Nuisances on property: Lumber, junk, trash, debris, abandoned or discarded equipment and personal items, weeds	\$50 (IN)	\$100 (IN)	\$200 (IN)
4.08.100	Disorderly house or premises	\$500 (IN)	Maximum allowed (MC)	Maximum allowed (MB)
4.12	Noise violations	\$250 (IN)	\$500 (IN)	\$750 (IN)
4.16	Hazardous Materials	Maximum allowed (MB)		
4.20	Violation of general solid waste and refuse standards	\$50 (IN)	\$100 (IN)	\$200 (IN)
4.20.070	Illegal Dumping, Hauling, Burning	\$250 (IN)	\$500 (IN)	\$750 (IN)
4.24.080	Special Event Permit Violations	\$200 (MC)		
5.04.020	Posting of handbills and other signs without permission	\$25 (IN)	\$50 (IN)	\$100 (IN)
5.04.030	Throwing projectiles into the street	\$500 (MB)		
5.08	Animal Violation (Default)	\$50 (IN)	\$100 (IN)	\$200 (IN)
5.08.020.D	Interference with Animal Control Officer	\$500 (MC)		
5.08.040	No Dog License Tag	\$50 (IN)	\$100 (IN)	\$200 (IN)
5.08.050	Animal Cruelty	Refer to U.C.A. §76-9-3		
5.08.060.A	Dogs Attacking Person	See 5.08.060.A.5 and 6 for classification and fines		
5.08.060.B	Dogs Attacking Animal	See 5.08.060.B.5 and 6 for classification and fines		
5.08.060.C	Possession of Vicious Animal	\$300 (MC)		
5.08.070	No Rabies Tag	\$50 (IN)	\$100 (IN)	\$200 (IN)
5.08.080	Animals at Large	\$50 (IN)	\$100 (IN)	\$200 (IN)
5.08.090	Dog at Large	\$50 (IN)	\$100 (IN)	\$200 (IN)
5.08.100.A	Disposition of dead animals	\$300 (IN)	\$450 (IN)	\$750 (IN)
5.08.100.B	Diseased Animals	Maximum allowed (MC)		
5.08.100.C	Diseased Animals for Human Consumption	Maximum allowed (MC)		
5.08.100.D	Loud or Offensive Animals	\$50 (IN)	\$100 (IN)	\$200 (IN)
5.08.100.E	Trespassing Animals	\$50 (IN)	\$100 (IN)	\$200 (IN)
5.08.110	Interference with Impounding	\$100 (MC)		
5.08.120	Retaking animal unlawfully	\$100 (IN)		
5.08.130	Commercial animal establishment without permit	\$500 (IN)		

	(See 3.04.030 and 10.64.120)			
5.08-140 thru 5.08-170	Violating commercial animal establishment standards	\$300 (IN)	\$450 (IN)	\$750 (IN)
5.08.180	Dog Park Violation	\$50 (IN)	\$100 (IN)	\$200 (IN)
5.12.010	Curfew Violation	\$50 (IN)	\$100 (IN)	\$200 (IN)
5.12.010.D	Curfew (Parent Liability)	\$50 (IN)	\$100 (IN)	\$200 (IN)
5.12.020	Possession by or sale of tobacco products to minors	Refer to U.C.A. §76-10-1		
5.12.030	Possession by or sale of alcohol products to minors	Refer to U.C.A. §76-10-1		
5.12.040	Possession of drugs by minors	Refer to U.C.A. §76-10-1		
6.08.020.A	OHV Undesignated Street	\$50 (IN)	\$100 (IN)	\$200 (IN)
6.08.020.B	OHV causing an annoyance	\$50 (IN)	\$100 (IN)	\$200 (IN)
6.08.020.C	OHV Trespass	\$50 (IN)	\$100 (IN)	\$200 (IN)
6.08.030	OHV Speeding	16-25 mph - \$50 (IN) 25 + mph - \$150 (IN)		
6.08.040.A	OHV Equipment requirements	\$50 (IN)	\$100 (IN)	\$200 (IN)
6.08.040.C	OHV Noise nuisance	\$250 (IN)	\$500 (IN)	\$750 (IN)
6.08.050	OHV Expired Reg.	\$90 (IN)		
6.08.060	No OHV License or Safety Certificate	\$50 (IN)	\$100 (IN)	\$200 (IN)
6.08.070	Husbandry Implement on Highway	\$50/160 (IN)		
6.08.080	No Protective Headgear/Eyewear	\$50 (IN)		
6.08.090	Improper Riding Area	\$50 (IN)	\$100 (IN)	\$200 (IN)
6.08.100	Riding OHV After Dark	\$50 (IN)		
6.16.010	Obstructing clear view areas	\$50 (IN)		
6.16.020	Parking commercial vehicles in residential zones (See also 7-04-100)	\$250 (IN)	\$500 (IN)	\$750 (IN)
6.16.030	Parking of Mobile Home/Trailer Storage street	\$50 (IN)	\$100 (IN)	\$200 (IN)
7.04.020	Encroachment Permit Violation (See 7.08)	\$1,000 (IN)		
7.04.030	Winter Parking	\$25 (IN)	\$50 (IN)	\$100 (IN)
7.04.040.A	Failure to remove snow	\$50 (IN)	\$100 (IN)	\$200 (IN)
7.04.040.B	Depositing snow in street	\$50 (IN)	\$100 (IN)	\$300 (IN)
7.04.050	Street Obstructions	\$50 (IN)	\$100 (IN)	\$200 (IN)
7.04.060	Discharge of Water onto streets	\$50 (IN)	\$100 (IN)	\$300 (IN)
7.04.070	Blocking or driving on sidewalks	\$50 (IN)	\$100 (IN)	\$200 (IN)
7.04.080	Driving Animals on Street	\$50 (IN)	\$100 (IN)	\$200 (IN)

7.04.090	Parking of vehicles and equipment on publicly owned property	\$50 (IN)	\$100 (IN)	\$200 (IN)
7.04.100	Parking of large vehicles and equipment in residential zones	\$50 (IN)	\$100 (IN)	\$200 (IN)
7-04-110	Commercial Vehicles Over 4-Axels on Restricted Roads	\$500 (IN)		
7.08	Excavation Violations	\$250 (IN)	\$500 (IN)	\$750 (IN)
7.12	Cemetery Violations	\$50 (IN)		
7.16.040	Violation of general park restrictions	\$50 (IN)		
7.16.060	Encroachments on park space	\$50 (IN)		
7.16.070	Trail Violations	\$50 (IN)		
8.04.130	Scarcity of water regulations	\$50 (IN)	\$100 (IN)	\$200 (IN)
8.04.140.A	Unauthorized delivery of water to another user	\$250 (MB)	\$500 (MB)	\$1000 (MB)
8.04.140.B	Wasting water	\$50 (IN)	\$100 (IN)	\$200 (IN)
8.04.140.C	Water system construction	\$500 (MB)		
8.04.150	Drinking Water Source Protection	\$1000 (MB)		
8.08.020.A	Failure to connect to public sewer when required	\$50 per day of non-compliance (IN)		
8.08.020.B	Unsanitary Disposal of Waste	\$100 (IN)	\$200 (IN)	\$300 (IN)
8.08.030	Illegal private sewer system	\$50 per day of non-compliance (IN)		
8.08.040.A	Illegal connection to public sewer	\$50 per day of non-compliance (IN)		
8.08.060	Illegal discharge of unpolluted or polluted waters or waste to sewer	\$500 (MB)	\$750 per day of violation (MB)	
8.08.070	Damage to city sewer facilities and equipment	\$750 (MB)		
8.16.020	Illegal connection to secondary water system	\$50 per day of non-compliance (MB)		
8.16.040	Use of unmetered water through system	\$500 (MB)		
8.16.050	Scarcity of secondary water regulations	\$50 (IN)	\$100 (IN)	\$200 (IN)
8.16.090	Use of secondary water during prohibited hours	\$25 (IN)	\$50 (IN)	\$75 (IN)
8.20	General utility billing violations	\$50 (IN)	\$100 (IN)	\$200 (IN)
8.20.120	Unauthorized restoration of discontinued utility services	\$250 (MB)	\$500 (MB)	\$750 (MB)
8.20.130	Unauthorized restoration of voluntarily disconnected utility services	\$500 (MB)	\$750 (MB)	\$1000 (MB)
9.040.030.F	Failure to obtain a building permit or inspections	\$750(IN)	\$750 (IN)	\$1000 (MB)
9.04.050	Plumbing modifications without a permit	\$750 (IN)	\$750 (IN)	\$1000 (MB)
9.04.060	Electrical modifications without a permit	\$750 (IN)	\$750 (IN)	\$1000 (MB)
9.12	Building permit for mobile home	\$750 (IN)	\$750 (IN)	\$1000 (MB)
10.16.240	Living in a Recreational Vehicle	\$50 (IN)	\$100 (IN)	\$200 (IN)
10.16.280	Must obtain a permit to conduct mass grading or excavating	\$250 (IN) per day		
10.16.300	Temporary use permit required	\$50 (IN) per day		
10.16.310	Special events permit required	\$500 (IN) per day		

10.24.020	Conditional use permit required	\$250 (IN)	\$500 (IN)	\$750 (IN)
10.36.010	Permits required	\$750 (IN)	\$750 (IN)	\$1000 (MB)
10.36.050	Occupancy or construction in variance with approvals	\$500 (IN) per day		
10.36.060	Failure to Obtain Certificate of Occupancy	\$500 (IN) per day		
10.40.020	Home Occupation license required	\$250 (IN)	\$500 (IN)	\$750 (IN)
10.40.080	Bed and Breakfasts require conditional use permit	\$250 (IN)	\$500 (IN)	\$750 (IN)
10.44.040	Signage in violation of city codes	\$50 (IN) per day		
10.44.060	Signs Prohibited	\$50 (IN)		
10.44.070	Violation of Sign Standards - Permit Required	\$750 (IN)	\$750 (IN)	\$1000 (MB)
10.44.080	Violation of Sign Standards - No permit Required	\$50 (IN)		
10.44.090	Violation of Temporary Sign Regulations	\$50 (IN)		
10.52.020	Residence to be landscaped	\$250 (IN)		
10.64.080	Harboring 4 + Animals	\$50 (IN)	\$100 (IN)	\$200 (IN)
10.64.080	Farm Animal Violation	\$50 (IN)	\$100 (IN)	\$200 (IN)
10.64.090	Location of Animal Structure (at Residence)	\$250 (IN)	\$500 (IN)	\$750 (IN)
	(at Property other than Residence)	\$50/day	\$50/day	\$50/day
10.64.100	Fencing of animals (at Residence)	\$250 (IN)	\$500 (IN)	\$750 (IN)
	(at Property other than Residence)	\$50/day	\$50/day	\$50/day
10.64.110	Controlling animal waste runoff	\$100 (IN)		
11.12.040	Conveyance prior to subdivision	\$1000 (MB)		
11.12.041	Recording of plat prior to approvals	\$1000 (MB)		
11.12.042	Plat modifications without approval	\$1000 (MB)		
11.12.043	Creating a remnant parcel	\$1000 (MB)		

Amended [Date]