

ORDINANCE NO. 2000-8-17

AN ORDINANCE PROHIBITING THE USE OF STREETS AND ROADWAYS FOR THE PURPOSE OF RUNNING EXCESS IRRIGATION WATERS FROM PRIVATE LANDS.

WHEREAS, Utah State law provides as follows:

UCA 10-8-11 Street Encroachments, Lighting, Sprinkling, Cleaning.

They [the Town Council] may regulate the use of streets, alleys, avenues, sidewalks, crosswalks, parks and public grounds, prevent and remove obstructions and encroachments thereon, and provide for the lighting, sprinkling and cleaning of the same; and

WHEREAS, the Mantua Town Council finds that in multiple and repeated incidences, private citizens have neglected to contain excess irrigation water, and have allowed such water to exit the private property or such private citizens and run off down the streets and roadways of Mantua Town; and

WHEREAS, the Mantua Town Council finds that the runoff of excess irrigation waters has caused the washing away of gravel and caused other erosion of and damage to the town streets and roadways; and

WHEREAS, the Mantua Town Council finds that it is in the best interest of the Town to prohibit the use of Town streets and roadways for the purpose of running excess irrigation waters from private lands.

NOW, THEREFORE, BE IT RESOLVED that:

1. No person shall allow excess irrigation waters to run from private property onto the streets and roadways of Mantua Town.

2. Any property owner who allows excess irrigation waters to exit that property owner's parcel and run along the streets or roadways of Mantua Town shall be guilty of an infraction, whether the violation of this Ordinance is willful or negligent. In addition, any water operator hired or retained by the property owner to run irrigation water on private property, and allows such irrigation water to exit such private property and run off down the streets and roadways of Mantua Town shall also be guilty of an infraction, whether such violation is willful or negligent.

3. Violations of this Ordinance shall be subject to the following fine schedule:

- a. First offense: Fine of not less than \$25.00, no more than \$100.00;
- b. Second offense: Fine of not less than \$50.00, no more than \$200.00; and
- c. Third and all subsequent offenses: Fine of not less than \$100.00, no more than \$500.00.

4. This Ordinance shall become effective upon posting as required by law.

ADOPTED AND PASSED by the Mantua Town Council this 17th day of August, 2000.

MANTUA TOWN

ATTEST:

Adriana Forsgren
Town Recorder

By Mitchell R. Wyatt
Mayor

Posted: _____

CERTIFICATE OF DUE POSTING

I, ADRIANA FORSGREN, Town Recorder of Mantua, Box Elder County, Utah, hereby certify that I, on the 17th day of August, 2000, in the Town of Mantua, County of Box Elder, State of Utah, posted the foregoing Ordinance No. 2000-8-17 a copy of which is hereto attached, in each of three public places in the said Town of Mantua, to-wit:

- 1. Mantua Town Hall
- 2. Mantua Fire Station
- 3. Country Store

WITNESS my hand this 17th day of August, 2000.

Adriana Forsgren
Adriana Forsgren
Town Recorder