

TITLE 1

GENERAL PROVISIONS

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- 2 Boundaries**
- 3 Code and Ordinances**
- 4 Adoption of Code; Repeal and Saving Provisions**
- 5 Definitions and Rules of Construction**
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CHAPTER 1**CITY NAME AND SEAL**

Sections:

- 1-1-101 Municipal Name.
- 1-1-102 Municipal Seal.
- 1-1-103 Municipal Logo.

1-1-101 Municipal Name.

The name of this City shall be Springville. However, to designate the municipal character of the City, the name may be stated as “Springville City, a municipal corporation,” or “Springville City, a municipality.” (Statutory Authority UCA 10-1-202; 1968 Code 1-1-1; amended in codification to conform to current state law 1979; 1979 Code 1-1-1)

1-1-102 Municipal Seal.

The city of Springville shall have a municipal seal described as follows: The impression shall be two inches in diameter, representing a paintbrush with a facsimile of the front of Springville Museum of Art, with the inscription “Corporate Seal Springville, Utah”. A facsimile of the seal is reproduced as follows:



(Statutory Authority UCA 10-1-202; 1968 Code 1-1-2 and 1-1-3, phraseology amended in codification 1979; 1979 Code 1-1-2)

1-1-103 Municipal Logo.

The City of Springville shall have a municipal logo. A facsimile of the logo is reproduced as follows: (Adopted by Ordinance No #22-2007, 05/01/2007)



CHAPTER 2**BOUNDARIES**

Sections:

1-2-101 Boundaries of City.

1-2-101 Boundaries of City.

The boundaries or limits of Springville shall be as established on the official boundary map of the City prepared by the City Recorder and approved by the City Council. The official boundary map shall be amended from time to time to show annexations and de-annexations as the same may be made according to this Code and state law. The official boundary map shall be kept on file at all times in the office of the City Recorder. (Statutory Authority UCA 10-2-401; added in codification 1979; 1979 Code 1-2-1)

CHAPTER 3
CODE AND ORDINANCES

Sections:

- 1-3-101 Designation of Code.
- 1-3-102 Separability.
- 1-3-103 Amendments to Code.
- 1-3-104 Form of Ordinances.
- 1-3-105 Recording, Numbering and Certification of Ordinances.
- 1-3-106 Effective Date of Ordinances.
- 1-3-107 Footnotes, Appendices, and Section Headings.

1-3-101 Designation of Code.

The general ordinances of Springville, as revised and set forth herein, shall be designated and referred to as Springville City Code 1991. Reference by number to any section of this Code shall refer not only to that section, but also to any general penalty clause which may relate thereto.

(Statutory Authority 10-3-706 to 10-3-710; See 1968 Code 1-3-1; 1979 Code 1-3-1; amended in codification 1979, amended in codification 1991)

1-3-102 Separability.

Each section and each provision or requirement of any section of this Code shall be considered separable, and the invalidity of any section or any part of any section shall not affect the validity or enforceability of any other section or part thereof.

(1968 Code 1-3-2; 1979 Code 1-3-2)

1-3-103 Amendments to Code.

From and after the effective date of this Code, all general ordinances of the City shall be made by amendments or additions to this Code. Such amendments shall be made by setting forth each section in full as the same shall read following such amendment. All language deleted from the section by the amendment shall be shown in the amending ordinance and shall be overscored with hyphens. All language added to a section by such an amendment shall be shown in the amending ordinance and shall be underscored.

(See 1968 Code 1-2-2; amended in codification 1979; 1979 Code 1-3-3, amended by Ordinance No. 25-99)

1-3-104 Form of Ordinances.

All ordinances shall, after the effective date of this Code, contain and be in substantially the following order and form: (1) a number; (2) a title which indicates the nature of the subject matter of the ordinance; (3) an ordaining clause which states "be it ordained by the City Council of Springville, Utah:"; (4) the body or subject of the ordinance; (5) when applicable, a statement indicating the penalty for violation of the ordinance; (6) a statement indicating the effective date of the ordinance or the date when the ordinance shall become effective, after publication or posting as required by law; (7) a line for the Mayor or acting mayor to sign the ordinance; (8) a place for the City Recorder to attest the ordinance and affix the seal of the City.

(Statutory Authority UCA 10-3-704 and 10-3-705; added in codification 1979; 1979 Code 1-3-4)

1-3-105 Recording, Numbering and Certification of Ordinances.

The City Recorder shall record, in a book used exclusively for that purpose, all ordinances passed by the City Council. The Recorder shall give each ordinance a number if the governing body has not already done so. Immediately following each ordinance or codification of ordinances, the Recorder shall make, or cause to be made, a certificate stating the date of passage and the date of publication or posting, as required by law. The

record and memorandum, or a certified copy thereof, shall be prima facie evidence of the contents, passage, and publication or posting of the ordinance or codification.

(Statutory Authority UCA 10-3-713; added in codification 1979; 1979 Code 1-3-5)

1-3-106 Effective Date of Ordinances.

(1) All ordinances, before taking effect, shall be deposited in the office of the City Recorder, and the ordinance or a short summary thereof published at least once in a newspaper published within the City. Any ordinance, code, or book relating to building or safety standards, municipal functions, administration, control or regulations may be adopted and shall take effect without further publication or posting, if reference is made to the code or book adopted and at least three (3) copies thereof have been filed for use and examination by the public in the offices of the City Recorder prior to the adoption of the ordinance by the City Council. The ordinance which adopts such code or book shall be published in the manner provided in this Section and by state law.

(2) Ordinances shall become effective twenty (20) days after publication or thirty (30) days after final passage by the City Council, whichever is more remote from the date of final passage, but ordinances may become effective at an earlier or later date after publication if so provided in the ordinance.

(Statutory Authority UCA 10-3-711 and 10-3-712; See 1968 Code 1-3-5; amended in codification 1979; 1979 Code 1-3-6)

1-3-107 Footnotes, Appendices, and Section Headings.

The footnotes, appendices, and section headings or catch lines contained in this Code are for reference purposes, only. They shall not be taken as any part of this Code or of any section thereof, unless expressly so provided.

(See 1968 Code 1-3-6; amended in codification 1979; 1979 Code 1-3-7)

CHAPTER 4**ADOPTION OF CODE; REPEAL AND SAVING PROVISIONS**

Sections:

- 1-4-101 Adoption of Code.
1-4-102 Repeal of 1979 Code and General Ordinances.
1-4-103 Savings Clause.

1-4-101 Adoption of Code.

This Code shall be adopted by an ordinance enacted as provided in Chapter 3 of this Title. It shall become effective on the date on which the adopting ordinance shall become effective.

(Statutory Authority UCA 10-3-711; added in codification 1979; 1979 Code 1-4-1)

1-4-102 Repeal of 1979 Code and General Ordinances.

The City Code of Springville, Utah, 1979, and all general ordinances of Springville passed prior to the adoption of this Code are hereby repealed, except those ordinances which are, by the next Section, expressly saved from repeal.

(Statutory Authority UCA 10-3-709; 1968 Code 1-4-1; amended in codification 1979; 1979 Code 1-4-2; amended in codification 1991)

1-4-103 Savings Clause.

(1) All existing ordinances of the City which are contractual in character, including franchises, grants, and dedications; special tax ordinances; ordinances relating to bond issues; ordinances relating to boundaries and annexations; ordinances establishing, naming or vacating streets, alleys, or other public places; improvement ordinances; ordinances relating to elections; and all other ordinances of a special rather than a general character, are hereby expressly saved from repeal and shall remain in full force and effect.

(2) Insofar as any provision of this Code is the same in effect as a provision in a previously existing general ordinance of this City, such provision of this Code shall be construed as a continuation of the previously existing provision.

(Statutory Authority UCA 810-3-709; 1968 Code 1-4-2; 1979 Code 1-4-3)

1-4-104 Pending Proceedings.

(1) Nothing contained in this Code, either expressly or by implication, shall be construed or held to repeal a former ordinance, whether such former ordinance is expressly repealed or not, as to any offense committed against such former ordinance or as to any act done, any penalty, forfeiture, or punishment so incurred, or any right accrued or claim arising under the former ordinance, or in any way whatever to affect any such offense or act so committed or done, or any penalty, forfeiture or punishment so incurred, or any right accrued, or claim arising before this Code takes effect, save only that the proceedings thereafter shall conform to the provisions of this Code so far as practicable. If any penalty, forfeiture, or punishment be mitigated by any provision of this Code, such provision shall be applied to any judgment announced after this Code takes effect.

(2) Nothing contained in this Chapter shall be construed as abating any action now pending under or by virtue of any general ordinance of the City repealed hereby, or as discontinuing, abating, modifying or altering any penalty accrued or to accrue, or as affecting the liability of any person, firm, or corporation, or as waiving any right of the City under any ordinance or provision thereof in force at the time of the adoption of this Code. (Statutory Authority UCA 10-3-709; 1968 Code 1-4-3; minor changes in phraseology made in codification 1979; 1979 Code 1-4-4)

CHAPTER 5**DEFINITIONS AND RULES OF CONSTRUCTION**

Sections:

1-5-101 Definitions.

1-5-102 Rules of Construction.

1-5-101 Definitions.

In the construction of this Code and all ordinances which amend any portion thereof, the following words and terms shall have the meaning herein ascribed to them, unless such definition is inconsistent with the manifest intent or contrary to the context of the ordinance:

- (1) The word "City" shall mean Springville.
 - (2) The word "Code," unless otherwise specifically stated, shall mean the City Code of Springville, Utah, 1979.
 - (3) The word "municipality," unless otherwise indicated, shall mean the City of Springville.
 - (4) The word "oath" shall include an affirmation in all cases in which by law an affirmation may be submitted for an oath, and in such cases the word "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed."
 - (5) The term "occupant" applied to a building or land, shall include any person who occupies the whole or any part of such building or land whether alone or with others.
 - (6) The word "offense" shall mean any act forbidden by any provision of this Code or the omission of any act required by the provisions of this Code.
 - (7) Officers, departments, commissions, boards, councils, and employees, when referred to in this Code, shall mean officers, departments, commissions, boards, councils, and employees of the City of Springville, unless the context clearly indicates otherwise.
 - (8) The word "owner" applied to a building or land, shall include any part owner, joint owner, tenant-in-common, joint tenant or lessee of the whole or of any part of such building or land.
 - (9) The word "person" shall include any firm, corporation, association, partnership, or any other form of association or organization.
 - (10) The word "property" shall include both real and personal property.
 - (11) The word "street" shall include all roads, alleys, lanes, highways, courts, places, squares, trails, bridges, and sidewalks laid out or erected as such by the public, or dedicated or abandoned to the public, or otherwise made public by any means whatsoever.
- (1968 Code 1-5-1; amended in codification 1979; 1979 Code 1-5-1)

1-5-102 Rules of Construction.

In the construction of this Code and all ordinances amending any part thereof, the following rules shall apply, except where such construction would be inconsistent with the manifest intent or contrary to the context of the ordinance:

- (1) When any subject matter, party, or person is described or referred to by words importing the masculine, the feminine as well as the masculine, and associations and bodies, as well as individuals, shall be deemed to be included.
- (2) The singular number shall include the plural and vice versa.
- (3) The word "shall" is mandatory and not merely directory.
- (4) The present tense shall include the future tense, and the future tense shall include the present tense.
- (5) The time in which an act provided by law is to be done is computed by excluding the first day and including the last, unless the last is a holiday or a Sunday, and then it is also excluded. Whenever any act of a secular nature, other than a work of necessity or mercy, is appointed by law or contract to be performed upon a particular day, which day falls upon a holiday, such act may be performed upon the next succeeding business

day with the same effect as if it had been performed upon the day appointed. In all cases where any ordinance shall require any act to be done in a reasonable time or reasonable notice to be given, such reasonable time or notice shall be deemed to mean such time only as may be necessary for the prompt performance of such duty or compliance with such notice.

(1968 Code 1-5-2; 1979 Code 1-5-2)

CHAPTER 6**GENERAL PENALTY**

Sections:

- 1-6-101 General Penalty Clause.
1-6-102 Liability of Persons Aiding and Abetting.
1-6-103 Liability of Officers.

1-6-101 General Penalty Clause.

(1) In any case where a person commits any act which is made unlawful or prohibited by this Code, such person shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be subject to punishment by a fine not to exceed \$1,000.00 or by imprisonment for a term not to exceed six (6) months or by both such fine and imprisonment, unless a specific section provides a different penalty for violation of that section.

(2) In all cases where the same offense is made punishable or is created by different clauses or sections of this Code, the prosecuting officer may elect under which to proceed; but not more than one penalty shall be had against the same person for the same offense, provided that the revocation of a license or permit shall not be considered a penalty so as to bar any other penalty being enforced.

(Statutory Authority UCA 10-8-84; 1968 Code 1-6-1; amended in codification 1979; 1979 Code 1-6-1; amended by Ord. No. 23-91)

1-6-102 Liability of Persons Aiding and Abetting.

Every person, acting with the mental state required for the commission of an offense, who directly commits the offense, who solicits, requests, commands, encourages, or intentionally aids another person to engage in conduct which constitutes an offense, shall be criminally liable as a party for such conduct.

(Statutory Authority UCA 76-2-202; added in codification 1979; 1979 Code 1-6-2)

1-6-103 Liability of Officers.

No provision of this Code designating the duties of any officer or employee shall be so construed as to make such officer or employee liable for any fine or penalty provided for a failure to perform such duty, unless the intention of the particular section to impose such fine or penalty on such officer or employee is specifically and clearly expressed in the section creating the duty.

(1968 Code 1-6-3; 1979 Code 1-6-3)