

**HUNTSVILLE TOWN  
ORDINANCE 2020-4-23**

**LAND USE ADMINISTRATION AND ENFORCEMENT  
PENALTIES UPDATE**

**AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, ADOPTING UPDATES TO  
TITLE 15.31.5 OF THE HUNTSVILLE TOWN CODE PRESCRIBING FINES AND  
PENALTIES**

**RECITALS**

- A. **WHEREAS**, Huntsville Town (hereafter “Town”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;
- B. **WHEREAS**, Title 10, Chapter 9a, of the *Utah Code Annotated*, 1953, as amended, enables municipalities to regulate land use and development;
- C. **WHEREAS**, The Town desires to update penalties for land use violations.
- C. **WHEREAS**, after publication of the required notice, the Planning Commission held its public hearing on May 28, 2020, to take public comment on the proposed ordinance, after which the Planning Commission gave its recommendation to ADOPT THIS Ordinance on May 28, 2020;
- D. **WHEREAS**, the Town Council received the recommendation from the Planning Commission and held its public meeting on June 4, 2020 and desires to act on this Ordinance;

**ORDINANCE**

**NOW, THEREFORE**, be it ordained by the Town Council of Huntsville, Utah as follows:

**Section 1: Repealer.** Any ordinance or portion of the municipal code inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

**Section 2: Amendment.** The Huntsville Municipal Code is hereby amended to read as follows:

**15.30.1.4 Penalties**

The following penalties apply to any violation of the land use regulations of the Town as follows:

- A. **Civil Penalty.** In addition to all other remedies as authorized by law, including but not limited to removal, abatement, injunctive relief, revocation of any permit, or otherwise, any respective owner(s) of record on file in the office of the Weber County Recorder, violating or permitting the violation of any land use provision established by law may be fined up to \$750.00, per violation, per day, in addition to reasonable attorney's fees and costs incurred by the Town. The Town is also entitled to reimbursement of all costs relating to enforcement, including, but not limited to: removal, abatement, injunctive relief, or otherwise, including all court costs and attorney fees.
- B. **Criminal Penalties.** In addition to other remedies as authorized by law, any respective owner(s) of record on file in the office of the Weber County Recorder, violating or permitting the violation of the provisions of any land use provision established by law shall be guilty of a class C misdemeanor and punishable as provided by law, each day being a separate offense.

**Section 3: Severability.** If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

**Section 4: Effective date.** This Ordinance shall take effect immediately upon mayoral approval and posting.

PASSED AND ADOPTED by the Town Council on this 4<sup>th</sup> day of JUNE, 2020.

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JIM TRUETT, Mayor

ATTEST:

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BECKKI ENDICOTT, Recorder

RECORDED this 4<sup>th</sup> day of JUNE, 2020