
Document Control Changes: Created 14 June 2005, (was CF-027-SM-05), Revised September 2016, New Format Sept 2016

SPILLAGE OF MATERIAL ORDINANCE for the Town of CEDAR FORT

Whereas, we find that motor vehicles carrying uncovered loads endanger traffic and cause litter;

NOW THEREFORE, BE IT ORDAINED by the Town Council of the Town of Cedar Fort, Utah County, Utah, that an ordinance relating to the establishment of **Spillage of Material** on town right-of-way within the Town of Cedar Fort be enacted as follows:

We draft this ordinance pertaining to covered loads pursuant to Utah Code Annotated Section 10-8-30 allowing municipalities to prohibit littering.

1.0 No person shall drive on any way any open vehicle with a load of such a nature and in such a condition that it can be blown by the wind so as to be scattered, unless said vehicle is equipped with and said load is entirely covered and secured by a tarpaulin or similar covering which prevents the escape of any substance from said load onto the way. No person shall operate in any way any vehicle with any load unless said load and any covering thereon is securely fastened so as to prevent said covering or load from becoming loose, detached, or in any manner a hazard to other users of the way.

2.0 This provision shall not apply to:

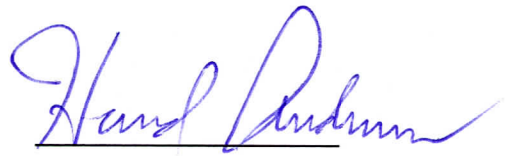
2.1 a local farmer transporting his own farm products or materials incidental to his farming operations where such transporting requires incidental use of a way, provided that such farmer shall not thereby be relieved of his duty to exercise reasonable care in carrying on such operations.

2.2 The operation of highway building equipment and motor vehicles used in the construction of highways provided that such equipment or motor vehicle is used within a highway construction zone as prescribed by the commissioner of transportation, provided that the driver of any such vehicle shall not thereby be relieved of his duty to exercise reasonable care;

(c) The operation of municipal, county and state highway maintenance equipment;

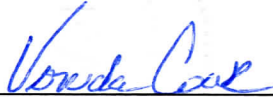
3.0 Penalties. Any person who engages in the prohibited conduct set forth in this ordinance is guilty of a class C misdemeanor. Each time the person engages in the prohibited conduct is a separate offense.

This ordinance shall become effective on the 27th day of September, 2016, following proper passage by the Town Council.



Mayor

Attested By:



Town Clerk

| | |
|-------------------------------|---------------------|
| Councilmember Howard Anderson | Voted <u>Yes</u> |
| Councilmember Ellen Cibula | Voted <u>Yes</u> |
| Councilmember Larry Mohler | Voted <u>absent</u> |
| Councilmember Chris Murphy | Voted <u>Yes</u> |
| Councilmember Richard Stark | Voted <u>YES</u> |

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, VONDA Cook, Town Recorder of Cedar Fort Town, Utah, do hereby certify and declare that the above and foregoing is a true, full, and correct copy of an ordinance passed by the Town Council of Cedar Fort Town, Utah, on the 27 day of September 2016, entitled

“SPILLAGE OF MATERIAL ORDINANCE for the Town of CEDAR FORT “

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of Cedar Fort Town Utah this 27 day of September 2016.



VONDA Cook
Cedar Fort Town Recorder

(SEAL)

AFFIDAVIT OF POSTING

STATE OF UTAH)
) ss.
COUNTY OF UTAH)

I, Vonda Cook, Town Recorder of Cedar Fort Town, Utah, do hereby certify and declare that I posted in three (3) public places the following summary of the ordinance which was passed by the Cedar Fort Town Council on the 27 day of September 2016 and herein referred to as:


“SPILLAGE OF MATERIAL ORDINANCE for the Town of CEDAR FORT “

SUMMARY:

The above named ordinance was enacted to define and describe the prohibition of spilling or allowing materials to be littered or spilled on the roadways within the Town of Cedar Fort. Specific exceptions are noted.

The three places are as follows:

1. Post Office
2. Town Hall
3. Cedar Valley Store



Vonda Cook
Cedar Fort Town Recorder

Date of Posting Sept 28, 2016