

# BOULDER TOWN, UTAH

## ORDINANCE 2021-3

AN ORDINANCE ENACTING A CODE OF ORDINANCES FOR BOULDER TOWN, STATE OF UTAH, AND REVISING, AMENDING, RESTATING, CODIFYING, AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES OF THE POLITICAL SUBDIVISION DEALING WITH SUBJECTS EMBRACED IN SUCH CODE OF ORDINANCES.

WHEREAS, the present general and permanent ordinances of Boulder Town are not arranged and classified in an easily accessed and referenced manner, and can be aided by a better organized manner and form, thereby contributing to a more complete preservation of the public peace, health, safety, and general welfare of the municipality and for the proper conduct of its affairs; and

WHEREAS, the Acts of the Legislature of the State of Utah empower and authorize political subdivisions to revise, amend, restate, codify, and compile any existing ordinances and all new ordinances not heretofore adopted or published and to incorporate such ordinances into one ordinance in book form; and

WHEREAS, the Legislative Authority of the Boulder Town has authorized a general compilation, revision, and codification of the ordinances of Boulder Town of a general and permanent nature and publication of such ordinance in book or electronic form; and

WHEREAS, it is necessary or desirable to provide for the usual daily operation of the municipality and for the immediate preservation of the public peace, health, safety, and general welfare of the municipality that this ordinance take effect at an early date.

NOW, THEREFORE, BE IT ORDAINED BY THE BOULDER TOWN COUNCIL:

Section 1. The general ordinances of Boulder Town as revised, amended, restated, codified, and compiled in book form are hereby adopted as and shall constitute the "Code of Ordinances of Boulder Town."

Section 2. Such Code of Ordinances as adopted in Section 1 shall consist of the following Titles, and as set forth more specifically on Exhibit A, attached and incorporated herein:

- TITLE I: GENERAL PROVISIONS
- TITLE III: ADMINISTRATION
- TITLE V: PUBLIC WORKS
- TITLE VII: TRAFFIC CODE
- TITLE IX: GENERAL REGULATIONS

TITLE XI: BUSINESS REGULATIONS  
TITLE XIII: GENERAL OFFENSES  
TITLE XV: LAND USAGE  
TABLE OF SPECIAL ORDINANCES  
PARALLEL REFERENCES

[Other titles and provisions may be enacted or modified at a later time.]

Section 3. All prior ordinances which are inconsistent with the subjects and provisions in such Code of Ordinances shall be deemed repealed from and after the effective date of this ordinance except as they are included and re-ordained in whole or in part in such Code; provided, such repeal shall not affect any offense committed or penalty incurred or any right or obligation established prior to the effective date of this ordinance, nor shall such repeal affect the provisions of ordinances levying taxes, appropriating money, annexing or detaching territory, establishing franchises, or granting special rights to certain persons, authorizing public improvements, authorizing the issuance of bonds or borrowing of money, authorizing the purchase or sale of real or personal property, granting or accepting easements, plat or dedication of land to public use, vacating or setting the boundaries of streets or other public places; nor shall such repeal affect any other ordinance of a temporary or special nature or pertaining to subjects not contained in or covered by the Code.

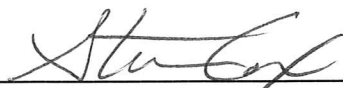
Section 4. Such Code shall be deemed published as of the day of its adoption and approval by the Boulder Town Council and the Boulder Town Recorder is hereby authorized and ordered to file a copy of such Code of Ordinances in the city office.

Section 5. Such Code shall be in full force and effect as provided in Section 6, and such Code shall be presumptive evidence in all courts and places of the ordinance and all provisions, sections, penalties, and regulations therein contained and of the date of passage, and that the same is properly signed, attested, recorded, and approved and that any public hearings and notices thereof as required by law have been given.

Section 6. The provisions of this ordinance shall become effective upon passage.

PASSED AND APPROVED this 6<sup>th</sup> day of May, 2021.

**BOULDER TOWN**

By:   
STEVEN COX, Mayor

ATTEST:

---

JUDITH DAVIS, Recorder

## EXHIBIT A

The codified Ordinances enacted and adopted above are specifically set forth in their entirety in the physical copy on file with, and received by, the Town Clerk's Office as of this enactment date, titled "BOULDER TOWN UTAH, CODE OF ORDINANCES, AMERICAN LEGAL PUBLISHING"; and further as published by American Legal as of the enactment date at the following link to their website:

<https://codelibrary.amlegal.com/codes/boulderut/latest/overview>

Excepting therefrom the edits, deletions and additions listed below, which are adopted herewith:

### **§ 30.01 MEETINGS.**

(A) The governing body of the town, which is the Town Council, shall hold a regular meeting at the Town Hall on the first Thursday of each month at 7:00 p.m. ( cut – "during Mountain Standard Time and at 8:00 p.m. during Mountain Daylight Time").

### **§ 31.01 ELECTIONS; PRIMARY ELECTION.**

(B) A primary election will be held only when the number of candidates filing for an office exceeds twice the number to "se" - correction "be" - elected.

### **§ 33.10 CHAIN OF COMMAND.**

(A) Chain of command:

- (1) Mayor;
- (2) Fire Chief;
- (3) Mayor Pro-tem, Organization of Religious Groups, Schools, and Businesses;
- (4) Council member designee, Fire, Search and Rescue, EMS, Office-financial, Clerk;
- (5) Council member designee, Water, Sewer, Water Supervisor; and
- (6) Council member designee, Roads and Streets, Public Buildings.

(B) If at any time one Council member is over burdened and another without responsibilities, the Mayor, at his or her discretion, may appoint new assignments according to the disaster and needs.

(Ord. passed 4-3-2008)

### **§ 33.11 EVACUATION AREAS.**

In case of evacuation, citizens would be evacuated to one of the following areas:

- (A) Boulder Elementary School; 280 N. 200 E. Phone: 335-7322;
- (B) Boulder Town Hall 351 N. 100 E. Phone: 335-7300; or
- (C) Boulder LDS Church 180 E. 300 N. Phone: 335-7302.

(Ord. passed 4-3-2008)

**§32.39 (B) (2)** first sentence, typo therefor - correct to "therefore"

**§130.01**

(E) The restrictions listed in this section are in effect each year from June 1st to Oct 31st. The Boulder Town Council may, however, make these and/or other restrictions effective at other times during any year by passing an appropriate ordinance or resolution. Such should not be construed as a permanent amendment to this section unless the same is clearly set forth by ordinance.

**§ 153.170** Title correction –TEMPORARY “USES” (not DWELLINGS)