

## **ORDINANCE NO. 25-07**

### **ORDINANCE OF SOUTH OGDEN CITY AMENDING THE CITY'S CONSOLIDATED FEE SCHEDULE FOR CODE NONCOMPLIANCE FEES AND POSSIBLY WASTE TRAILER RENTAL AND PARK BOWERY RENTAL FEES; AND PROVIDING AN EFFECTIVE DATE**

#### **SECTION I – RECITALS**

**WHEREAS**, the City of South Ogden (“City”) is a municipal corporation duly organized and existing under the laws of Utah; and,

**WHEREAS**, the City Council finds that in conformance with UC §10-3-702, the governing body of the city may pass any ordinance to regulate, require, prohibit, govern, control or supervise any activity, business, conduct or condition authorized by State law or any other provision of law; and,

**WHEREAS**, the City Council finds that due to recent changes to South Ogden City Code concerning code compliance duties and fees, the consolidated fee schedule also needs to be changed; and,

**WHEREAS**, the City Council finds they may want to increase some waste trailer and bowery rental fees to recoup some of the costs; and,

**WHEREAS**, the City Council finds that in order to charge a fee for any service it must first set out and establish the fee by ordinance; and,

**WHEREAS**, the City Council finds that providing these fees in the City’s Consolidated Fee Schedule is an effective way to make this information available to the public; and,

**WHEREAS**, the City Council finds that the public convenience and necessity requires the administrative action now taken by the City,

**THEREFORE, BE IT ORDAINED** by the City of South Ogden that:

#### **SECTION II - AMENDMENT OF THE CITY’S CONSOLIDATED FEE SCHEDULE**

The City’s Consolidated Fee Schedule is amended for Code Noncompliance Fees, and may be amended for waste trailer and bowery rental fees, and the same is adopted as part of the official fee schedule for South Ogden City shown as **Attachment “A”**, made a part by this reference and as then set out in the full Consolidated Fee Schedule.

### **SECTION III - PRIOR ORDINANCES AND RESOLUTIONS**

That the above fees, where they may have been taken from prior City Ordinances and Resolutions, are listed here for centralization and convenience; and that the body and substance of those prior Ordinances and Resolutions, with their specific provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

### **SECTION IV - REPEALER OF CONFLICTING ENACTMENTS**

All orders, ordinances and resolutions regarding the changes enacted and adopted which have been adopted by the City, or parts, which conflict with this Ordinance, are, for such conflict, repealed, except this repeal will not be construed to revive any act, order or resolution, or part, repealed.

### **SECTION V - SAVINGS CLAUSE**

If any provision of this Ordinance be held or deemed, or shall be invalid, inoperative or unenforceable such will not render any other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Ordinance being deemed the separate independent and severable act of the City Council of South Ogden City.

### **SECTION VI - DATE OF EFFECT**

This Ordinance will be effective on the 6<sup>th</sup> day of May, 2025, and after publication or posting as required by law.

**PASSED AND ADOPTED BY THE CITY COUNCIL OF SOUTH OGDEN CITY, STATE OF UTAH**, on this 6<sup>th</sup> day of May, 2025.

**SOUTH OGDEN**, a municipal corporation

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Mayor Russell Porter

ATTESTED:

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Leesa Kapetanov, MMC  
City Recorder

# **ATTACHMENT "A"**

## **ORDINANCE NO. 25-07**

Ordinance Of South Ogden City Amending The City's Consolidated Fee Schedule For  
Code Noncompliance Fees And Possibly Waste Trailer Rental And Park Bowery Rental  
Fees; And Providing An Effective Date

06 May 25

## Ordinance Violation Fees

### ~~"Junk Ordinance" Violation/ Enforcement~~ Code Noncompliance Fees

(Added 16 Oct 12) Last amended 06 May 25- Ordinance 25-07

| Description                                                                                                           | Fee                                                                                                                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <del>"Junk Ordinance" Violation/ Enforcement Fees</del>                                                               |                                                                                                                                                                                                     |
| <del>First Offense/ Violation requiring action by the city beyond original notice</del>                               | <u>Warning and set time given by the code compliance official to remedy the noncompliance.</u><br><br><u>\$125.00 if the noncompliance is not remedied within set time.</u><br><br><del>\$125</del> |
| <del>Each Subsequent Offense/ Violation within 24 months of most recent prior violation</del> <u>Second Violation</u> | \$250                                                                                                                                                                                               |
| <u>Third violation</u>                                                                                                | <u>Class C Misdemeanor</u>                                                                                                                                                                          |

### "Scooter Ordinance" Violation Fees

(Added 17 Aug 04)

| Description                                  | Fee              |
|----------------------------------------------|------------------|
| <del>Scooter Ordinance" Violation Fees</del> |                  |
| <del>First Offense</del>                     | <del>\$50</del>  |
| <del>Second Offense</del>                    | <del>\$100</del> |
| <del>Each Subsequent Offense</del>           | <del>\$200</del> |

## Park Facilities Rentals

Last amended ~~April 6, 2021~~ May 6, 2025 - Ordinance ~~21-04~~ 25-07

| Facility                                                                                                                                                                                                            | Resident Fee                   | Non-Resident Fee                |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------|---------------------------------|
| Park Bowery                                                                                                                                                                                                         | <del>\$75</del> <u>\$150</u> * | <del>\$100</del> <u>\$200</u> * |
| Amphitheater 1 (per day)                                                                                                                                                                                            | \$125                          | \$250                           |
| Cleaning/Rental Deposit                                                                                                                                                                                             | \$250**                        | \$250**                         |
| Extra Garbage Can                                                                                                                                                                                                   | \$10 per/can                   | \$10 per/can                    |
| Change request to rental agreement                                                                                                                                                                                  | \$25                           | \$25                            |
| Pickle Ball Courts – Four Courts                                                                                                                                                                                    | \$300 per/day                  | \$300 per/day                   |
| Security Deposit                                                                                                                                                                                                    | \$250***                       | \$250***                        |
| Pickle Ball Courts – Eight Courts                                                                                                                                                                                   | \$600 per/day                  | \$600 per/day                   |
| Security Deposit                                                                                                                                                                                                    | \$500***                       | \$500***                        |
| Pickle Ball Court Refund Policy – if a court reservation is cancelled within the period set out in the rental agreement, both the rental fee and security deposit will be refunded, less a \$25 administration fee. |                                |                                 |

- \* Includes ~~\$75~~ \$150 Cleaning Deposit. Deposit is refundable if bowery is left clean (subject to decision by Parks & Recreation Director)
- \*\* \$200 of deposit is refundable if amphitheater is left clean (subject to decision by Parks & Recreation Director)
- \*\*\* Security deposit will be refunded, less \$50, if rules on agreement are followed (subject to decision by Parks & Recreation Director)

## Green Waste Program Fees\*

| Description                                                 | Amount                                   |
|-------------------------------------------------------------|------------------------------------------|
| Green Waste Trailer and Disposal Fee                        | <del>\$50</del> <u>\$50</u> for (1) day* |
| <del>Green Waste Roll Off Dumpster and Disposal Fee</del>   | <del>\$60</del>                          |
| 30 Yd. Roll-off Dumpster – Per Cleanup                      | <del>No charge</del> <u>No charge</u> ** |
| Refundable Deposit on Trailer or Dumpster                   | <del>\$100</del> <u>\$100</u>            |
| Mixed Waste Trailer & Disposal fee                          | <del>\$90</del> <u>\$90</u>              |
| <del>Mixed Waste Roll-off Dumpster &amp; Disposal fee</del> | <del>\$100</del>                         |

- \* Limited to ~~two~~ one rentals per address per year.
- \*\* Limited to ~~once~~ one per address per year.