

MINUTES OF THE HUNTSVILLE TOWN COUNCIL MEETING

Thursday, November 20, 2025, 6:00 p.m.

Huntsville Town Hall, 7474 E. 200 South, Huntsville

Name	Title	Status
Richard L. Sorensen	Mayor	Present
Bruce Ahlstrom	Council Member	Present
Sandy Hunter	Council Member	Present
Lewis Johnson	Council Member	Present
Artie Powell	Council Member	Present
William Morris	Legal Counsel	Excused
Nikki Wolthuis	Clerk	Present

Citizens: Jeff Keeney, Ron Gault, Jodi Richardson, Marian Devries, Sarge Tovar, Rex Harris

1 Mayor Richard Sorensen called the meeting to order.

There was a full quorum present.

2-Pledge of Allegiance led by: Jodi Richardson

3-Opening Ceremony given by: Bruce Ahlstrom

4-Public Comments:

Sarge Tovar- He spoke about the Flag Ceremony Dedication for Town Hall, service with homeless vets and the Legion's spaghetti dinner.

Huntsville Culinary Water Board Chair **Ron Gault-** He announced that Huntsville got the water loan from the state. The Water loss report showed that millions of gallons of water were lost in the spring months. After leaks were repaired on 1800 S., only 1 million gallons per month were lost. He purchased a radio that was a lot less money than was projected. They are working on the bypass and hoping to get it done soon. Last year the water leak was on December 10th.

5. Discussion and/or action on approval of Minutes for Town Council Meeting October 29, 2025 (See Attachment #1)

TCM Ahlstrom motioned to approve the Minutes for Town Council Meeting October 29, 2025. TCM Sandy Hunter seconded the motion. All votes Ayes. Motion passed.

6. Discussion and/or action on approval of Minutes for Election Canvass Meeting November 18, 2025 (See Attachment #2)

TCM Sandy Hunter motioned to approve the Minutes for Election Canvass Meeting November 18, 2025. TCM Powell seconded the motion. All votes Ayes. Motion passed.

7. Discussion and/or action on Meeting Calendar for 2026 (See Attachment #3)

The TC discussed the calendar and had Nikki adjust some of the dates.

8. Discussion on Adjustments to Utility Easements on Parcels belonging to John Falls and Heidi Posnien. (See attachment #5)

The TC discussed adjustments to the easements. Sandy stood at the map and pointed out where the utility easement was now on the new survey recorded with Weber County. This may be satisfactory with John Falls. If John Falls wanted any changes to the easement, a new ordinance would need to be approved.

9. Discussion and/or action on approval of Resolution 2025-11-20 Public Communication Policy (See attachment #6)

TCM Powell summarized the policy and explained that it came about because of something he learned in a meeting he attended for a local special district. They had a circumstance where they refused to read profane and derogatory comments in a public meeting, and it led to a lawsuit. He wrote a policy for Huntsville Town to avoid the same thing happening here. The TC discussed whether they needed to adopt a policy for both the Planning Commission and the Town Council and they decided they could just adjust the language so it would cover all public meetings. TCM Powell would make the changes.

Mayor motioned to approve Resolution 2025-11-20 Written Communication in Meetings Policy. TCM Ahlstrom seconded the motion. Roll Call Vote. Votes reflected below. Motion passed 5-0.

VOTES	AYE	NAY	ABSTAIN	EXCUSED
Mayor Richard L. Sorensen	X			
CM Bruce Ahlstrom	X			
CM Lewis Johnson	X			
CM Sandy Hunter	X			
CM Artie Powell	X			

10. Discussion and/or action on approval of up to \$15,000 on playground repairs and future playground plans.

The playground equipment had reached its life span and would need to be replaced in the next 2-3 years. The bid for a whole new design was going to be \$300-\$400,000. The Traditions Committee wanted to help raise money for it. Until the money could be raised, it would be necessary to repair some of the equipment including the slide. That bid was \$15,000.

TCM Johnson questioned the need for the playground. He felt like it was a waste of money and it opened up the town for lawsuits. TCM Powell explained that the town could get money from the OVPSA to help pay for it. In addition, the money earmarked for the repair of the drain field

could instead be used to pay for playground repairs and the drain field could be repaired the following year.

Mayor Sorensen motioned to approve up to \$15,000 on playground repairs and have TCM Powell ask for reimbursement from the OV Parks District. TCM Sandy Hunter seconded the motion. Roll Call Vote. Votes reflected below. Motion passed 4-1.

VOTES	AYE	NAY	ABSTAIN	EXCUSED
Mayor Richard L. Sorensen	X			
CM Bruce Ahlstrom	X			
CM Lewis Johnson		X		
CM Sandy Hunter	X			
CM Artie Powell	X			

11. Discussion and/or action on approval of Ordinance 2025-7-17 Nuisance Ordinance. (See attachment #4)

TCM Ahlstrom had a list of changes he wanted to make. One was to add “as long as it does not create offensive odors.” to 3a on page 5. TCM Sandy Hunter wondered if they should eliminate animals from the nuisance section and merge it into the animal control section. TCM Ahlstrom felt that agriculture should be allowed in the C1, C2 and RC zones. TCM Sandy Hunter agreed with that at least conditionally. TCM Sandy Hunter wanted to add “public view of” in the junk section so one could have an abandoned vehicle or junk behind a fence or in a garage.

The TC was in agreement on many of the proposed changes, but they had a hard time with the abandoned vehicles and garbage sections. For them, protecting health and safety was the most important reason for a nuisance code.

TCM Sandy Hunter moved the noise section of the code to the different zones.

TCM Powell proposed a work session in January to go through the ordinance line by line. TCM Sandy Hunter stated that she would edit the draft to reflect the changes made that night.

TCM Ahlstrom motioned to table Ordinance 2025-7-17 Nuisance Ordinance. Mayor seconded the motion. All Votes Ayes. Motion passed.

Department Updates

Mayor Richard Sorensen- The new city councilmembers and mayor of Ogden Valley City were sworn in. Two more councilmembers would be sworn in the following Monday at 10:00 am at the monastery.

Mayor Sorensen asked the Town Council whether they should have the electric power for the sauna in their name or the Town’s. They wanted to keep it in the town’s name.

Councilmember Lewis Johnson –None

Councilmember Bruce Ahlstrom- He spoke about the new Maintenance QR Code for reporting repairs in town.

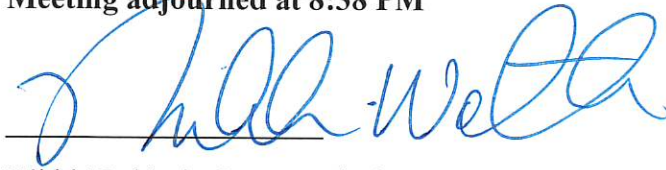
Councilmember Sandy Hunter- The newsletter will be coming out on December 1st. The sauna had been installed and they had worked hard to make the area look nice. There may be a buyer for the restaurant in town.

Councilmember Artie Powell- He requested time to sit down with the mayor to talk about OVPSA and the Mosquito Board before he leaves office.

TCM Ahlstrom approved the October bills. TCM Powell seconded the motion. All votes ayes. Motion passed.

TCM Powell motioned to adjourn the meeting. TCM Ahlstrom seconded the motion. All votes ayes. Motion passed.

Meeting adjourned at 8:38 PM

A handwritten signature in blue ink, appearing to read 'Nikki Wolthuis', is written over a horizontal line.

Nikki Wolthuis, Deputy Clerk

MINUTES OF THE HUNTSVILLE TOWN COUNCIL MEETING
Wednesday, October 29, 2025, 6:00 p.m.
Huntsville Town Hall, 7474 E. 200 South, Huntsville

Name	Title	Status
Richard L. Sorensen	Mayor	Present
Bruce Ahlstrom	Council Member	Present
Sandy Hunter	Council Member	Present
Lewis Johnson	Council Member	Present
Artie Powell	Council Member	Present
William Morris	Legal Counsel	Excused
Nikki Wolthuis	Clerk	Present
Beckki Endicott	Clerk	Present

Citizens: Jim Truett, Jeff Keeney, Barbara Walker

1 Mayor Richard Sorensen called the meeting to order.
 There is a full quorum present.

2-Pledge of Allegiance led by: Jeff Keeney

3-Opening Ceremony given by: Artie Powell

4-Public Comments:

Jeff Keeney- He suggested that they make a cross-country skiing track somewhere in town. The TC discussed what had been done in the past by community members including having one at the park for the winter carnival, down in the meadow south of Cemetery Point, or over by the boat club. They also discussed how to make it and where people could park. TCM Powell pointed out that since it was not Huntsville Town's property it wouldn't need Town Council approval. They gave him suggestions on who could make a track. TCM Ahlstrom suggested they talk to the new Forest Ranger about opening up the parking at Cemetery Point for people to park for both cross country skiing and ice fishing. Jeff was going to look into it to coordinate everything.

Jeff Keeney also wondered if the Town had a communication system for expressing needs and sharing goods? TC members discussed using existing Facebook pages like Ogden Valley Yard Sale and others that advertised similar things. Beckki Endicott, clerk, stated that they could put information about Facebook pages in their Welcome Packet to new residents.

Jim Truett- He wondered what was going to be put inside the roundabout. Mayor Sorensen stated that there was a design for it, but nothing but grass would be in it for now. It was stubbed for water and electricity.

5.Sheriff's Report No report

7. Discussion and/or action on approval of Minutes for Town Council Meeting October 16, 2025 (See Attachment #1)

TCM Sandy Hunter motioned to approve the Minutes for Town Council Meeting October 16, 2025. TCM Ahlstrom seconded the motion. All votes Ayes. Motion passed.

8. Discussion and/or action on approval of Town Council Meeting October 20, 2025 (See Attachment #2)

TCM Hunter corrected the sentence about the reason why it was better to get the tree stumps job done in the fall.

TCM Ahlstrom motioned to approve the Minutes for Town Council Meeting October 20, 2025 as amended. TCM Sandy Hunter seconded the motion. All votes Ayes. Motion passed.

9. Discussion and/or action on approval of Ordinance 2025-7-17 Nuisance Ordinance. (See attachment #3)

Beckki made little change to the ordinance. In the Nuisance and Abatement section she combined some concepts. In other sections she cut and pasted the current code into the new code. TCM Powell reformatted the Nuisance section to separate the types of nuisances from the definition of nuisances. **(Attachment #4)** The TC liked the changes. TCM Sandy Hunter was working on moving the noise regulations to each zone. **(Attachment #5)** TCM Ahlstrom felt like the job of government was to protect the health and safety of citizens but not make sure properties looked good. **(Attachment #6)** He also didn't like it when residents were constantly watching their neighbors to make sure that they were following the rules. TCM Johnson wanted to avoid words like "annoy" in the code. He also didn't think they needed to give every example of each nuisance. He felt like if there were so many examples it gives people a reason to complain against their neighbors. Beckki wondered if the council was against noxious weeds. TCM Powell gave an example where noxious weeds became a problem in the state where he used to live. The TC spoke at length about grass and weeds that were too long. Beckki stated that the majority of code complaints are about weeds.

Beckki also explained that the code needed to be specific enough so that the code enforcement officer could enforce the code.

The TC spoke about the fine per day of \$1,000 for violations. They wondered if it was too steep. Beckki described a recent situation when the code enforcement officer was investigating a violation. The homeowner continuously ignored him until he informed them of the fine. They promptly took care of the property.

Beckki would take the suggestions from the meeting and refine the ordinance. The TC decided to discuss it again at the next meeting.

Mayor Sorensen motioned to table Ordinance 2025-7-17 Nuisance Ordinance. TCM Powell seconded the motion. All votes ayes. Motion passed.

Department Updates

Mayor Richard Sorensen- The Fall festival was well attended. Chandlyr Shupe and her team were planning more events.

Councilmember Lewis Johnson – The Green Waste Facility would only be open one more Saturday but if residents need their leaves taken care of he is willing to open it up on a case by case basis. They would need to contact him.

Councilmember Bruce Ahlstrom- He was impressed at how many loads of dirt the new cemetery was receiving.

A descendant of the Aldous family wanted to donate to help repair the cabin. The History Center will need help on Tuesday night to finish moving the rest of their stuff to the new Town Hall. Posts are in for the new stop signs on 200 S. at 7500 E. He showed some drawings of the intersection (**Attachment #7**) with added landscaping on the west side to narrow the road and slow down drivers.

Councilmember Sandy Hunter- McKay Meadows owner Steve Starks wanted to do a boundary line adjustment to make 4 lots on the 35 acres. He's looking at doing a development agreement. One lot is kind of a flag lot, but it's a unique situation with the wetlands and with only 4 homes being built on the entire property. He will approach the Town Council about the agreement.

She spoke with the women on the Events Committee that were interested in forming a 501c3 to get money for town events. She explained to them that the 501 c3 that the Vision Committee was applying for could be used for both. Mayor Sorensen stated that it wouldn't be good to have competing 501c3s in town.

Councilmember Artie Powell- He pointed out that the bathrooms in the park were closed for the fall festival and the water had been turned off. He noted that for the festival next year they need to coordinate that better.

He attended a Weber Abatement event recently and felt that it was a well-run organization. As part of the event, they had an Open Meeting Act training. He learned that they need to be very careful and consistent about how they apply ordinances and how the counsel handles communication to the town. He wrote a policy to help the town be consistent and objective.

TCM Powell motioned to adjourn the meeting. TCM Ahlstrom seconded the motion. All votes ayes. Motion passed.

Meeting adjourned at 7:50 PM

Nikki Wolthuis, Deputy Clerk

MINUTES OF THE HUNTSVILLE TOWN ELECTION CANVASS MEETING
Tuesday, November 18, 2025, 6:00 p.m.
Huntsville Town Hall, 7474 E. 200 South, Huntsville

Name	Title	Status
Richard L. Sorensen	Mayor	Excused
Bruce Ahlstrom	Council Member	Excused
Sandy Hunter	Council Member	Present
Lewis Johnson	Council Member	Present
Artie Powell	Council Member	Present
William Morris	Legal Counsel	Excused
Nikki Wolthuis	Clerk	Present
Beckki Endicott	Clerk	Present

Citizens: Jodi Richardson, Jeff Keeney, and Will Vandertoolen

Mayor Pro Tem and Chair of the Board of Canvassers, TCM Sandy Hunter welcomed all to the Election Canvass Meeting. There was a full quorum present.

TCM Sandy Hunter read through the election canvass reports provided by Weber County (See **Attachment #1**). The discussion included voter turnout, the number of ballots cast, and the election results. Jim Truett and Sandy Hunter were found to have the most votes and will serve as councilmembers for Huntsville Town for the next 4 years.

TCM Artie Powell motioned to certify the 2025 municipal election results as provided in the Election Canvass Report. TCM Johnson seconded the motion. Roll Call Vote. Votes reflected below. Motion passed 3-0.

The meeting was adjourned by consent.

Meeting adjourned at 6:07 PM

Nikki Wolthuis, Deputy Clerk

Huntsville TownTown Council & Planning Commission Monthly Meetings 2026

In accordance with Utah Code Section 52-4-202(2), notice is hereby given of the 2026 Meeting Schedule for Huntsville Town. The Town Council will meet on January 15th, 2025 at 6:00 p.m., and will subsequently meet the first and third Thursday of each month thereafter at 6:00 pm. The Planning Commission will meet on January 22nd, at 6:30 p.m. and will subsequently meet the fourth Thursday of each month (unless stated otherwise) thereafter at 6:30pm. Work sessions, special meetings, or emergency meetings may be held as needed in accordance with state law. A notice and agenda for each meeting will be posted prior to a meeting in accordance with state law. Some meetings may be cancelled or rescheduled. Meetings will be held at the Huntsville Town Hall, 7474 E 200 S, Huntsville UT, 84317. Zoom link available at huntsvilleutah.gov, as applicable. For special accommodation contact the Town office at least 24 hours before any meeting. For questions, contact the Town Office at 801-745-3420. Published December , 2025.

Town Council	Planning Commission
January 8 th and 21 st or the 15 th only	January 22 nd
February 8 th and 19 th <i>5th + 19th</i>	February 26 th
March 8 th and 19 th <i>5th + 19th</i>	March 26 th
April 16 th	April 23 th
May 7 th and 21 st	May 28 th
June 4 th and 18 th	June 25 th
July 2nd and 16 th	July 23 rd
August 6 th and 20 th	August 27 th
September 3 rd and 17 th	September 24 th
October 1 st and 15 th	October 22 nd
November 5 th and 19 th	November 12 th
December 10th <i>Dec 3rd</i>	December 10 th

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the municipal clerk/recorder of Huntsville Town, hereby certify that foregoing agenda was duly published, or posted the following:

Dated this day of December 2025

Shannon Smith, Clerk

Town Hall
Post Office
huntsvilleutah.gov
pmn.utah.gov

** Fix the calendar.
Does it need to be approved?*



W3392062

E#3392062 PG 1 OF 8

B RAHIMZADEGAN, WEBER CTY. RECORDER
04-NOV-25 0308PM FEE \$0.00 113
REC FOR: HUNTSVILLEVACATION PLAT
~~NAME OF DEDICATION~~

ALLEYWAY VACATION

RECORDED FOR

HUNTSVILLE

CITY/COUNTY

HUNTSVILLE

RECORDING FEE

\$0.00

N 1/2 SEC 18 TOWNSHIP 6N RANGE 2E

BOOK 100 PAGE 75 LOTS N/A TAXING UNIT 35

NEW PARCEL
NUMBERS

N/A

OLD PARCEL
NUMBERS

24-011-0008, 0048, 0049 & 0051



ORDINANCE ACTION

TO: Huntsville Town

FROM: Huntsville Town Council

DATE: June 23, 2025

RE: Ordinance 2025-6-5 An Ordinance of Huntsville Town to vacate alley right-of way at 300 South.

At their Town Council Meeting on June 5, 2025, the Huntsville Town Council approved Ordinance 2025-6-5 vacating the alley right-of-way at 300 South.

This ordinance vacates ownership of the southern part of the alleyway from Huntsville Town to the owners of the adjacent property.

The complete ordinance can be found on Huntsville's website and in their office at Town Hall, 7474 E. 200 S. Huntsville.


Beckki Endicott, Clerk

**HUNTSVILLE TOWN
ORDINANCE NO. 2025-6-5**

ORDINANCE TO VACATE ALLEY RIGHT-OF-WAY AT 300 SOUTH

AN ORDINANCE OF HUNTSVILLE TOWN, UTAH, VACATING A PORTION OF THE PUBLIC RIGHT-OF-WAY AT AN ALLEY OFF OF 300 SOUTH STREET; LEGISLATIVE FINDINGS; DECLARATION OF VACATION; QUIT CLAIMING THE PROPERTY WITHIN THE VACATED PORTION OF SAID RIGHT-OF-WAY; RESERVING A RIGHT-OF-WAY FOR UTILITIES THAT MAY NOW EXIST IN SAID PORTION VACATED; DIRECTING THE TOWN CLERK TO RECORD THIS ORDINANCE IN THE OFFICE OF THE COUNTY RECORDER; AND PROVIDING THE EFFECTIVE DATE OF THIS ORDINANCE.

WHEREAS, Huntsville Town (hereafter "Town") is a municipal corporation, duly organized and existing under the laws of the state of Utah;

WHEREAS, the Town received a request to vacate a portion of the public right-of-way for an alley off of 300 South Street located in the Town;

WHEREAS, the right-of-way to be vacated is set forth in Exhibit "A attached hereto and incorporated herein by this reference;

WHEREAS, in accordance with Utah Code §10-9a-208, the Town gave notice, as provided in State Law, of the Public Hearing which was held on June 5, 2025, and notice was also provided to the owner of record, affected entities, and posted at least ten (10) days before the Public Hearing;

WHEREAS, the County Recorder is now requiring this written Ordinance to vacate the right-of-way and the Town Council enters its findings determining that good cause exists to vacate, that such action would be in the best interest of the Town, and there is no detriment to public interest;

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

Section 1: Findings.

In accordance with State Law, the Town Council makes and enters the following findings to support the vacating to the public right-of-way:

1. That the Town finds that the required notice for this Ordinance to vacate by duly provided and the Town Council held its Public Hearing as required by State Law.

2. That public health and safety is served by vacating a portion of the public right-of-way for this alley as identified on Exhibit "A" attached hereto and incorporated herein by this reference because such will provide for a more secure and safe neighborhood
3. That vacating of a portion of the public right-of-way for this alley as identified on Exhibit "A" attached hereto and incorporated herein by this reference is not detrimental to any legitimate public interest because there is limited access and use of said alley.

Section 2: Declaration Vacating Right-of-way.

That the public right-of-way for a portion of the public alley identified on Exhibit "A" attached hereto and incorporated herein by this reference of as legally described and depicted in Exhibit "A" is hereby vacated.

Section 3: Quit Claim.

The City hereby relinquishes and does quit claim the portion of the public alley right-of-way vacated by this Ordinance as shown on Exhibit "A" to the adjoining property owners.

Section 4: Reservation.

The Town hereby reserves and retains an easement over Exhibit "A" to service, maintain, relocate, or replace any utilities that remain within the right-of-way vacated by this Ordinance.

Section 5: Authorization.

The Town Clerk is hereby authorized and directed to cause a copy of this Ordinance and its Exhibit "A" to be recorded in the office of the Weber County Recorder.

Section 6: Effective Date.

This Ordinance shall become effective immediately upon publication or posting, after final passage.

PASSED AND ADOPTED by the Town Council on this 5th day of June, 2025.

ROLL CALL VOTE:	AYE	NAY	RECUSED	EXCUSED
Mayor Richard Sorensen	X			
CM Lewis Johnson				X - Abstained
CM Sandy Hunter	X			
CM Artie Powell			X	
CM Bruce Ahlstrom		X		

Ralph Jensen
Mayor

ATTEST:

Beckie Endicott
Town Clerk



RECORDED this 5th day of June, 2025.
PUBLISHED OR POSTED this 5th day of June, 2025.

CERTIFICATE OF POSTING

In accordance with Utah Code §10-3-713, 1953 as amended, I, the Town Clerk of Huntsville Town, Utah, hereby certify the foregoing Ordinance was duly adopted and posted/published as provided in State Law,

Beckie Endicott DATE: 6-5-2025
Town Clerk



EXHIBIT "A"

10/31/2025

**East Half 33.00 foot Alley
Timber Falls LLC**

The East half of a part of the Alley in Block 9, Plat "A", Huntsville Townsite Survey, within the Northwest Quarter of Section 18, Township 6 North, Range 2 East, Salt Lake Base and Meridian, Huntsville, Weber County, Utah.

Beginning at a point 16.50 feet South $88^{\circ}39'59''$ West from the Northwest corner of Lot 8, said Block 9, located 313.31 feet South $88^{\circ}40'57''$ West and 314.13 feet South $1^{\circ}21'50''$ East from a brass cap monument at the intersection of 300 South and 7400 East Streets; and running thence North $88^{\circ}39'59''$ East 16.50 feet to said Northwest corner; thence South $1^{\circ}21'50''$ East 264.62 feet along the West line of said Lot 8 and Lot 1 to the Southwest corner of said Lot 1; thence South $88^{\circ}39'00''$ West 16.50 feet along the South line of said Block 9 to a point 16.50 feet North $88^{\circ}39'00''$ East from the Southeast corner of Lot 2, said Block 9; thence North $1^{\circ}21'50''$ West 264.62 along a line parallel to and 16.50 feet perpendicularly West of said West line of Lot 1 and Lot 8 to the point of beginning.

Contains: 4,366 sq. ft.

10/31/2025

**West Half 33.00 foot Alley
John & Adelheid Posnien Living Trust**

The West half of a part of the Alley in Block 9, Plat "A", Huntsville Townsite Survey, within the Northwest Quarter of Section 18, Township 6 North, Range 2 East, Salt Lake Base and Meridian, Huntsville, Weber County, Utah.

Beginning at a point 16.50 feet South $88^{\circ}39'59''$ West from the Northwest corner of Lot 8, said Block 9, located 313.31 feet South $88^{\circ}40'57''$ West and 314.13 feet South $1^{\circ}21'50''$ East from a brass cap monument at the intersection of 300 South and 7400 East Streets; and running thence South $1^{\circ}21'50''$ East 264.62 along a line parallel to and 16.50 feet perpendicularly East of the East line of Lot 1 and 3, said Block 9; thence South $88^{\circ}39'00''$ West 16.50 feet along the South line of said Block 9 to the Southeast corner of said Lot 2; thence North $1^{\circ}21'50''$ West 264.62 feet along said East line of said Lot 2 and Lot 3 to the Northeast corner of said Lot 3; thence North $88^{\circ}39'59''$ East 16.50 feet to the point of beginning.

Contains: 4,366 sq. ft.

Huntsville Town – Petition to Vacate

Applicant Name: John Falls

Applicant Mailing Address: P.O. Box 177 Huntsville, Utah 84317

Email: johnponifalls@gmail.com Phone: 801-644-2887

Description or address of street/ROW and alley: A portion of the alley running South from approximately 300 South between 7300 East and 7400 East. See description, enclosed map, and survey for details of the subject property.

Brief Description of Proposed Vacation: The Southern end off the alleyway measuring approximately 264.5 feet long by 33 feet wide. 8730 square feet or .20 acres.

Parcel Owner's Permission for Vacation Petition

The undersigned authorize this petition for vacation of a street, ROW, or alleys in Huntsville Town:

Parcel Number(s): 240110049, 240110008, 240230018, 240230029, 240110048

Parcel(s) Owner Name: Timber Falls, LLC

Parcel(s) Owner Mailing Address: P.O. Box 177 Huntsville, Utah 84317

Email: johnponifalls@gmail.com Phone: 801-644-2887

Parcel Owner Signature: [Signature] Date: 4-22-2025

Title (Authorized Agent): _____

The undersigned authorize this petition for vacation of a street, ROW, or alleys in Huntsville Town:

Parcel Number(s): 240110051

Parcel(s) Owner Name: John and Adelheid Posnien

Parcel(s) Owner Mailing Address: P.O. Box 44 Huntsville, Utah 84317

Email: _____ Phone: 801-745-2217

Parcel Owner Signature: Heidi Posnie Date: 4-22-2025

Title (Authorized Agent): _____

(For Additional Parcel Owners Use Attached Sheet)

For Town Use:

Date of Petition: _____ Survey Received: _____

Nikki Wolthuis, Town Clerk

Huntsville Town Council
Vote to approve Ordinance to Vacate following Public Hearing

☒ Approved

☐ Conditional Approval

☐ Rejected

☐ Deferred

Mayor Signature: *Rebecca L. Langer*

Date: 6-5-2025

Notes/Conditions: ① Retain/Record Easement from fence going east to Woolley property ② Retain/Record Easement going south to parcel #240110051 ③ Provide new survey delineating the vacation of the portion of alleyway ④ Consolidate all parcels
Date of the public hearing: Owned by John Falls ... # 240110049, 240110008 # 240230018, #240230024. DATE OF PH - 6-5-2025

ATTEST:

Beckki Endicott
Beckki Endicott, Town Recorder

Date: 6-5-2025



Petition to vacate a public right of way requirements:

- ☐ Submit petition to vacate some or all of a public street or alley with the following requirements.
- ☐ Include name and address of each owner of record of land that is adjacent to the public street or alley or within 300 feet of the public street or alley.
- ☐ Have proof of written notice to operators of utilities and culinary water or other utilities located within the bounds of the street or alley sought to be vacated
- ☐ The signature of each owner of record of land that is adjacent to the public street or alley or within 300 feet of the public street or alley.
- ☐ The Town Council must then hold a public hearing to determine whether good cause exists for the vacation of the Alley; and to determine whether the public interest or any person or property may be materially injured by the proposed vacation.
- ☐ Following the hearing, the Town Council, acting as the Town legislative body may adopt an ordinance granting a petition to vacate some or all of the subject Alley, only if it finds that 1) Good cause exists for the vacation of the alley, and 2) Neither the public interest nor any person will be materially injured by the vacation of the Alley.
- ☐ The Town may require fair market value payment for the property vacated from the party requesting the vacation.

RESOLUTION 2025-11-20**A RESOLUTION ADOPTING A PROCEDURE FOR INCLUDING WRITTEN COMMUNICATIONS IN HUNTSVILLE TOWN COUNCIL MEETINGS**

WHEREAS, Huntsville Town (hereafter "Town") is a municipal corporation duly organized and existing under the laws of the State of Utah;

WHEREAS, the Town Council is the municipal legislative body;

WHEREAS, Huntsville Town encourages and welcomes public participation in all of its public meetings;

WHEREAS, Huntsville Town receives written comments on Town business, some requesting inclusion in deliberations and the official minutes;

WHEREAS, to ensure transparency, consistency, and compliance with Utah's Open and Public Meetings Act, it has become necessary to establish a policy on how Huntsville Town receives, handles, and includes written communications;

NOW, THEREFORE, BE IT RESOLVED by the Huntsville Town Council as follows;

Section 1. Ratification. The procedure adopted by Huntsville Town attached hereto as Exhibit "A" and incorporated herein by this reference is hereby ratified by the Town Council.

Section 2. Effective Date. This Resolution is effective immediately upon adoption by the Town Council.

VOTES	AYE	NAY	RECUSED	EXCUSED
Mayor Richard Sorensen				
CM Bruce Ahlstrom				
CM Sandy Hunter				
CM Artie Powell				
CM Lewis Johnson				

PASSED AND ADOPTED by the Town Council on this 20^h day of November 2025.

HUNTSVILLE TOWN POLICY ON READING OR INCLUDING PUBLIC EMAILS, TEXTS, AND WRITTEN COMMUNICATIONS IN COUNCIL MEETING MINUTES

Purpose

This policy establishes guidelines for how Huntsville Town receives, handles, and includes written communications—such as emails, text messages, or letters—from the public that relate to Town Council meetings. The intent is to ensure transparency, consistency, and compliance with Utah's Open and Public Meetings Act (Utah Code Title 52, Chapter 4) while maintaining orderly and efficient meetings.

1. Submission of Written Comments

1.1. Members of the public may submit written comments to the Town Council, including by email, text message, or letter, addressed to the Town Clerk or Council.

1.2. To be included in the record of a specific meeting, written comments must be received by the Town Clerk no later than 12:00 p.m. on the business day before the scheduled meeting.

1.3. The Town Clerk will compile timely written comments and distribute them to the Mayor and Council members before the meeting.

2. Comments Addressing Agenda Items

2.1. Written communications that directly address one or more agenda items **shall** be included in the public record for that meeting.

2.2. The minutes will note receipt of such communications, identifying the sender and the subject or agenda item addressed.

2.3. Full text of the communication will not be read aloud during the meeting unless the Mayor or Council determines that doing so is necessary for clarity or context. A summary may be provided.

Example: "The Town received an email from John Smith regarding the proposed changes to the garbage collection contract."

3. Comments Not Addressing Agenda Items

3.1. Written communications that do not relate to an agenda item will not automatically be included in the meeting record.

3.2. Such communications may be acknowledged, summarized, or included in, or omitted from, the record at the discretion of the Mayor.

3.3 Residents are ordinarily allowed to make public comments in person during the public comment period at the beginning of each Town Council meeting.

3.4 Consistent with Utah's Open Meeting Law, the Council may discuss issues raised in such communications that are included in the record but may not act on these issues.

4. Decorum and Appropriateness

4.1. Written communications containing profane, slanderous, or discriminatory language will not be read aloud and may, at the discretion of the Mayor, be summarized neutrally or omitted from the meeting discussion.

4.2. The Town reserves the right to redact personal information or content inconsistent with Utah's Government Records Access and Management Act (GRAMA).

5. Inclusion and Record Retention

5.1. Written comments accepted for the record will be attached to the meeting file as supplemental documents but will not be transcribed verbatim in the minutes.

5.2. The Town Clerk shall maintain these records in accordance with Huntsville Town's record retention policy and GRAMA requirements.

6. Other Town Boards, Committees, and Commissions

Other Town boards, committees, and commissions **may** adopt this policy, recognizing necessary changes, such as replacing "Mayor" with "Chair" and "Council" with "Board."

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7. Amendments

This policy may be amended by the Huntsville Town Council as needed to ensure compliance with state law and best practices for open government and public participation.

Adopted by the Huntsville Town Council this ___ day of _____, 2025.

Mayor: _____

Town Clerk: _____

Richard L. Sorensen – Huntsville Town Mayor

ATTEST:

Huntsville Town Clerk

RECORDED this 20th day of November 2025

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the municipal clerk of Huntsville Town, hereby certify that foregoing resolution was duly passed and published, or posted at 1) Town Hall 2) www.Huntsvilleutah.gov 3) www.pmn.gov 4) Post Office

Huntsville Town Clerk

DATE: _____



A PLAYCORE Company

GameTime C/O Great Western Recreation
P.O. Box 680121
Fort Payne, AL 35967
Office: 435-245-5055 Fax: 435-245-5057
www.gwpark.com

TC Minutes 11-20-25

Attachment #7

Huntsville Town Multiple Replacement Parts

Huntsville Town
Attn: Melissa Knowles
7474 East 200 S
Huntsville, UT 84317
United States
Phone: 801-558-0286
mknowles@huntsvilleutah.gov

Ship to Zip 84317

Quantity	Part #	Description	Unit Price	Amount
SkyWheel Replacement				
3	169447	GameTime - Skywheel Assy	\$454.00	\$1,362.00
3	169231	GameTime - Thrust Bearing 2.063"Dia	\$222.00	\$666.00
3	169446	GameTime - Collar 2"Dia 304 S.S.	\$46.56	\$139.68
3	169451	GameTime - Spring Pin	\$5.13	\$15.39
Volcano Climber Replacement				
1	165251	GameTime - Volcano Middle	\$1,427.00	\$1,427.00
2	165894	GameTime - Molded Grip #1	\$35.18	\$70.36
3	165895	GameTime - Molded Grip #2	\$35.18	\$105.54
2	165896	GameTime - Molded Grip #3	\$35.18	\$70.36
3	165897	GameTime - Molded Grip #4	\$35.18	\$105.54
1	166556	GameTime - Attachment Plate 6 5/16"	\$51.73	\$51.73
1	817406	GameTime - 5/16" Flatwasher	\$0.15	\$0.15
1	811044	GameTime - 5/16"X1 1/4"Buthd Soc Set	\$1.43	\$1.43
1	817330	GameTime - 5/16 Lockwasher	\$0.26	\$0.26
10	817406	GameTime - 5/16" Flatwasher	\$0.15	\$1.50
10	811046	GameTime - 5/16"X2" Bh Socket Screw	\$1.97	\$19.70
10	817330	GameTime - 5/16 Lockwasher	\$0.26	\$2.60
10	804556	GameTime - 3/8 T Nut (Spanner)	\$1.21	\$12.10
10	817612	GameTime - 3/8 Plastic Washer	\$0.34	\$3.40
10	817410	GameTime - 3/8 Flat Washer	\$0.22	\$2.20
10	817334	GameTime - 3/8 Lockwasher	\$0.25	\$2.50
10	801026	GameTime - 3/8"X 5"Hex Head Bolt Sst	\$7.11	\$71.10
S Wall Climber Replacement				
2	165894	GameTime - Molded Grip #1	\$35.18	\$70.36
3	165895	GameTime - Molded Grip #2	\$35.18	\$105.54
2	165896	GameTime - Molded Grip #3	\$35.18	\$70.36





A PLAYCORE Company

GameTime C/O Great Western Recreation
P.O. Box 680121
Fort Payne, AL 35967
Office: 435-245-5055 Fax: 435-245-5057
www.gwpark.com

10/21/2025
Quote #
116675-01-01

Huntsville Town Multiple Replacement Parts

Quantity	Part #	Description	Unit Price	Amount
3	165897	GameTime - Molded Grip #4	\$35.18	\$105.54
10	817406	GameTime - 5/16" Flatwasher	\$0.15	\$1.50
10	811046	GameTime - 5/16"X2" Bh Socket Screw	\$1.97	\$19.70
10	817330	GameTime - 5/16 Lockwasher	\$0.26	\$2.60
10	800918	GameTime - 5/16"X 6"Hex Hd Bolt Sstl	\$5.18	\$51.80
10	804554	GameTime - 5/16"-18 Propell Nut	\$1.00	\$10.00
10	817406	GameTime - 5/16" Flatwasher	\$0.15	\$1.50
10	817330	GameTime - 5/16 Lockwasher	\$0.26	\$2.60
***Cargo Net Climber Replacements ***				
2	177852	GameTime - S.S.Chain Net 82 7/16"Lg	\$1,167.00	\$2,334.00
1	178462	GameTime - Hdw-Cargo Net Wall	\$92.08	\$92.08
Slide Replacement				
1	818312	GameTime - 3/8"-16 Placing Tool	\$69.32	\$69.32
12	804710	GameTime - 3/8" 16 Unc Thread Insert	\$1.71	\$20.52
1	90700	GameTime - Single Entrance Wilderslide II - Customer to verify deck height for replacement slide is 6 feet. Customer to verify that slide exit will be 6 feet from edge of pit.	\$1,520.00	\$1,520.00
4	90703	GameTime - Straight Section Wilderslide II - Customer to verify deck height for replacement slide is 6 feet. Customer to verify that slide exit will be 6 feet from edge of pit.	\$682.00	\$2,728.00
1	90706	GameTime - Exit Section Wilderslide II - Customer to verify deck height for replacement slide is 6 feet. Customer to verify that slide exit will be 6 feet from edge of pit.	\$936.00	\$936.00
1	90709	GameTime - Support Wilderslide II - Customer to verify deck height for replacement slide is 6 feet. Customer to verify that slide exit will be 6 feet from edge of pit.	\$295.00	\$295.00
			Sub Total	\$12,566.96
			Material Surcharge	\$377.05
			Freight	\$1,589.01
			Total	\$14,533.02



**HUNTSVILLE TOWN
ORDINANCE 2025-7-17**

ADMINISTRATIVE PROCEEDINGS AND NUISANCES

AN ORDINANCE OF THE TOWN OF HUNTSVILLE, UTAH, ADOPTING CHAPTER 2.14 OF THE HUNTSVILLE TOWN MUNICIPAL CODE ENTITLED "ADMINISTRATIVE PROCEEDINGS" TO COMPLY WITH STATE LAW; REPEALING CHAPTER 2 OF THE HUNTSVILLE TOWN MUNICIPAL CODE TITLED "NUISANCE" TO COMPLY WITH THE HUNTSVILLE TOWN RECODIFICATION TEMPLATE; ADOPTING CHAPTER 8.04 OF THE HUNTSVILLE TOWN MUNICIPAL CODE ENTITLED "INSPECTION AND CLEANING" TO COMPLY WITH STATE LAW; PROVIDING SEVERABILITY; AND EFFECTIVE DATE.

WHEREAS, Huntsville Town (hereafter the "Town") is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §10-8-84 and §10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improvement of community well-being, peace, and good order for the inhabitants of the Town;

WHEREAS, Title 10, Chapter 11, of the *Utah Code Annotated*, as amended, governing "Inspection and Cleaning" enables municipalities to remove and abate certain nuisances and requires "Administrative Proceedings" in certain circumstances in order for effective enforcement;

WHEREAS, the Town finds it necessary to update the Municipal Code to comply with multiple changes in state law, and to protect public health, safety, and welfare;

WHEREAS, the Town finds it necessary to update the numbering of the nuisance code, moving the current nuisance code from Chapter two (2) and establishing a "Health and Safety" chapter, including garbage, fire, water, and nuisance as Chapter eight (8).

NOW, THEREFORE, be it ordained by the Town Council 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. Chapter 2 of the *Huntsville Town Municipal Code* is hereby repealed, and Chapter 2.14 is enacted to read as follows;

Section 3: Chapter 8.06 of the *Huntsville Town Municipal Code* is hereby enacted to read as follows:

**Chapter 2.14
Administrative Proceedings**

Sections:

- 02.14.010 Administrative Proceedings.**
- 02.14.020 Hearing Officer.**
- 02.14.030 Procedure.**
- 02.14.040 Non-judicial Penalty.**
- 02.14.050 Penalties from State Law.**

02.14.010 Administrative Proceedings.

In accordance with Utah Code §10-3-703.7, the Town hereby adopts this Chapter to establish an administrative proceeding to review and decide one or more civil violations of the Municipal Code.

02.14.020 Hearing Officer.

The mayor, with the advice and consent of the Town Council, may designate one (1) or more persons duly licensed and in good standing with the Utah State Bar as a Hearing Officer under this Chapter.

Commented [SH1]: Capitalize mayor

02.14.030 Procedure.

1. **Authority.** The Hearing Officer shall hear and decide cases arising from Chapter 8.04, and any other state law or municipal code where the Town is subject to the administrative proceeding specified in this Chapter.
2. **Due Process.** The Town shall provide due process for parties participating in the administrative proceedings by providing written notice of the date, time, place, and subject of the administrative hearing to the address of record for the property owner(s) and/or occupant(s) at the Office of the Weber County Recorder and an opportunity to be heard before the hearing officer.
3. **Appeal.** Only an adversely affected person who has standing may appeal the decision of the Hearing Officer. Any appeal from the Municipal Inspector enforcing Chapter 8.04, or other applicable code(s), is to be made in writing filed with the Town Clerk/Recorder and directed to the Hearing Officer under this Chapter. Subsequent appeals or any court action after the final decision of the Hearing Officer shall only be made in the Second District Court, State of Utah.
4. **Review.** The standard of review is based upon the preponderance of the evidence. Any appeal is limited to whether the Town made a significant error in its order, and the legal theories related to such errors or the impairment of due process, as such relate to specific code violation(s).

5. **Hearing.** An administrative hearing is conducted informally by the Hearing Officer. Rules of procedure and evidence are informally applied, and deference is afforded to the determinations of the Municipal Inspector.
6. **Exhaustion.** A party must exhaust all administrative remedies under this Chapter before appealing or bringing any action. An action shall only be brought in the Second District Court. The exhaustion requirement in this sub-section may be waived in writing by the Town Attorney. An argument that was not raised before the Hearing Officer shall not be raised on appeal before any Court, and the Court shall afford deference to the determinations of the Hearing Officer.

02.14.040 Non-judicial Penalty.

1. **Limitations.** In accordance with Utah Code §10-3-703.7(3)(a), the Town may not impose a nonjudicial penalty for a violation of a land use regulation or a nuisance code under Chapter 8.04, unless the Town provides to the individual who is subject to the penalty written notice that:
 - a. Identifies the relevant regulation or ordinance at issue;
 - b. Specifies the violation of the relevant regulation or ordinance; and
 - c. Provides for a reasonable time to cure the violation, taking into account the cost of curing the violation.
2. **Pending.** The Town may not collect on a nonjudicial penalty for a violation of a land use regulation or a nuisance code under Chapter 8.04 that is outstanding or pending on or after May 14, 2019, unless the Town imposed the outstanding or pending penalty in relation to a written notice that:
 - a. Identified the relevant regulation or ordinance at issue;
 - b. Specified the violation of the relevant regulation or ordinance; and
 - c. Provided for a reasonable time to cure the violation, taking into account the cost of curing the violation.
3. **Violations.** Based upon the Town adopting this Chapter establishing an administrative proceeding process for one (1) or more violation(s) of the Municipal Code in accordance with the requirements of Utah Code §10-3-703.7, the Town hereby adopts and imposes the following for each violation of an order issued under Utah Code §10-11-2(1)(c):
 - a. A civil penalty in accordance with Utah Code §10-3-703(2); or
 - b. A criminal penalty in accordance with Utah Code §10-3-703(1), including by a fine not to exceed the maximum class B misdemeanor fine under Utah Code §76-3-301, by a term of imprisonment up to six (6) months, or by both the fine and term of imprisonment.
 - c. In accordance with Utah Code §10-11-2(1)(d), the Town shall provide one hundred eighty (180) days after the day on which the written notice from the Municipal Inspector for violations under Chapter 8.04 is delivered in person or the date the notice is post-marked for the recipient of the notice to:
 - i. Abate the hazardous materials; or
 - ii. Appeal the notice and begin the administrative proceeding process.

02.14.050 Penalties from State Law.

1. Criminal. In accordance with Utah Code §10-3-703, the Town hereby imposes a criminal penalty for each violation of the Municipal Code involving enforcement actions initiated by the Town which shall be a fine not to exceed the maximum class B misdemeanor fine under Utah Code §76-3-301, by a term of imprisonment up to six (6) months, or by both the fine and term of imprisonment.
 - a. The Town may not impose a criminal penalty greater than an infraction for a violation pertaining to an individual's pet, as defined in Utah Code §4-12-102, or an individual's use of the individual's residence, unless the violation:
 - i. Is a nuisance as defined in Utah Code §78B-6-1101(1); and
 - ii. Threatens the health, safety, or welfare of the individual or an identifiable third party; or
 - iii. The Town has imposed a fine on the individual for a violation that involves the same residence or pet on three (3) previous occasions within the past twelve (12) months.
 - b. Utah Code §10-3-703(1)(b) does not apply to the enforcement of a building code or fire code violation in accordance with Title 15A, State Construction and Fire Codes Act.
2. Civil. Except as provided in Utah Code §10-3-703(2)(b), the Town hereby prescribes a civil penalty for each violation of the Municipal Code involving enforcement actions initiated by the Town by a fine not to exceed the maximum class B misdemeanor fine under Utah Code §76-3-301. The Town may not impose a civil penalty or adjudication for the violation of a moving traffic violation.
3. Issuance. Except as provided in Utah Code §10-3-703(3)(b) or Utah Code §77-7-18, a municipal officer or official who is not a law enforcement officer described in Utah Code §53-13-103, or a special function officer described in Utah Code §53-13-105 may not issue a criminal citation for a violation that is punished as a misdemeanor. Notwithstanding Utah Code §10-3-703 (1) or (3)(a), the following may issue a criminal citation for a violation that is punished as a misdemeanor if the violation threatens the health and safety of an animal or the public:
 - a. A fire officer described in Utah Code §53-7-201; or
 - b. An animal control officer described in Utah Code §11-46-102.
4. Limitations. The Town may not issue more than one (1) infraction within a fourteen (14) calendar day period for a violation described in Utah Code §10-3-703(1)(b) that is ongoing.

**Chapter 8.04
Inspection and Cleaning**

Sections:

- 08.04.010 Nuisance and Abatement.**
08.04.020 Inspection and Notice.
08.04.030 Abatement Procedure.
08.04.040 Cost Recovery.

08.04.050 Non-exclusive Remedy.

08.04.060 Penalty.

08.04.010 Nuisance and Abatement.

1. Applicability. In accordance with Utah Code §10-11-4(8), this Chapter does not apply to any public building, public structure, or public improvement.

2. Nuisance. A public nuisance is a crime against the order and economy of the Town and consists in unlawfully doing any act or omitting to perform any duty, which act or omission either:

- a. Health and Safety. Injures or endangers the health, or safety of members of the public;
- b. Obstructions. Unlawfully interferes with, obstructs, or tends to obstruct or renders dangerous for passage, any lake, stream, canal, ditch, or basin, or any public alleyway, park, square, street, or highway; or
- c. Security. In any way renders residents insecure in their lives or the use of their property.
- d. Economic. Public view of unsightly or deleterious structures, objects, or surroundings that may decrease property values of neighboring property owners.

c.

demonstrably

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3. Nuisance A nuisance may include, but is not limited to:

- a. Garbage. Includes waste materials subject to decay or decomposition that may create offensive odors, attract insects or rodents, or otherwise endanger public health or safety. This means all putrescible animal and vegetable wastes resulting from the handling, preparation, cooking, and consumption of food, and shall include all types of food containers, food scraps, trimmings, peelings, and refuse from households, kitchens, markets, or food establishments.

-that cause offensive odors

- b. Junk. ~~Public view of~~ Any discarded, dismantled, worn-out, or unusable materials or items that are no longer used for their original purpose and that may be stored, accumulated, or left in public view. The term includes, but is not limited to, old or abandoned motor vehicles or parts thereof; machinery; appliances; furniture; scrap metal; lumber; tires; batteries; containers; or any similar materials that are deteriorated, broken, or inoperative. Items kept for repair, restoration, or resale may be considered junk unless stored in a fully enclosed building or otherwise maintained in a neat and orderly manner that does not create a nuisance or safety hazard.

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in such a manner that creates a health or hazardous condition

Article - don't get specific

- c. Inoperable or Abandoned Vehicle in public view. Includes any trailer, semi-trailer or motor vehicle not currently registered and licensed in this state or another state, that cannot be operated in its existing condition because the parts necessary for operation such as, but not limited to, tires, windshield, engine, drive train, driver's seat, steering wheel or column, gas or brake pedals are removed, destroyed, damaged, deteriorated, or nonconforming.

Commented [SH3]: Added "in public view"

- d. Animals. Any animal which:

Commented [SH4]: Section d Animals, can be put into current Title 1.5.1 A thru G

- i. Causes damage to the property of anyone other than its owner;
- ii. Causes unreasonable odors; Causes unsanitary conditions, either for the animal(s) or person(s) living nearby;
- iii. Is a potentially dangerous or vicious animal as defined in the Animal Control Title;
- iv. Every dog or animal which by barking, howling or making other noises disturbs or disrupts the peace and quiet of more than three persons, or in the case of disturbing one or more persons is documented by an Animal Control or Huntsville Town Law Enforcement Officer on at least three separate occasions or for an extended period of time; Causes long continued noise which disturbs the comfort or repose of any persons in the vicinity between the hours of 10 P.M. and dawn. This excludes roosters in keeping with the agricultural environment of Huntsville Town.

~~iv.~~ Regularly chases vehicles;

~~vi.~~ Regularly chases other animals.

- e. Weeds and Landscaping. Property owners, or their tenants, shall avoid the accumulation of excessive vegetation, yard waste, or other organic material on their property. ~~Vegetation or landscaping that is unwatered, dead, overgrown, or otherwise unmaintained so that it becomes dry, combustible, or unsightly is hereby declared a nuisance. Failure to properly mow or cut any lawn, weeds, or grass exceeding six (6) inches in height shall constitute a violation of this ordinance. This section shall not apply to bona fide agricultural uses, roadways, or lands owned or managed by federal or state agencies.~~

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Bruce rewrite

g. ~~Noise.~~ To make, continue or cause to be made or continued any loud, continuous or excessive noise or any noise which endangers the health, safety or welfare of the community, or which annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within Huntsville Town. Permits shall be available for special events that specify the dates and hours of the permitted activities, which shall not be allowed between the hours of 10:00 P.M. and 8:00 A.M., unless the responsible Town official determines that it is in the best interest of the community that the activities take place, wholly or partially, during such hours. Commercial establishments that hold regularly scheduled entertainment may obtain a yearly permit. This title does not apply to bells or chimes at places of worship; to the playing of bands or orchestras in a hall or building in a manner that will not annoy the peace, comfort and quiet of the neighboring inhabitants; to municipal, county, state or federal government agencies in connection with any emergency; to normal working activities of or activities sponsored by the governing body; to warning devices on authorized emergency vehicles; or to horns or other warning devices on other vehicles used only for traffic safety purposes. ~~The following acts, among others, are declared to be loud, disturbing, excessive or continuous noises, and a danger to the health, safety and welfare of the community, in violation of this ordinance, but the enumeration shall not be deemed to be exclusive:~~

- ~~i. Continual use of horns, whistles, bells and signaling devices, except a danger warning.~~
- ~~ii. Radios, televisions, musical instruments and other machines, players or devices of any type or technology, using any type of media, used for the creation of any music or sound. The use or operation of any of the foregoing devices, with or without amplification, in such a manner as to disturb the peace, quiet and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle, chamber or premises in or at which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, machine, device or player between the hours of 10:00 p.m. and 8:00 a.m. in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which or land on which it is located, shall be prima facie evidence of a violation of this section.~~
- ~~iii. Commercial loudspeakers, amplifiers, etc. The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, loudspeaker, sound amplifier, or any other machine, player or device of any type or technology for the producing or reproducing of sound which is audible upon the public streets for the purpose of commercial advertising, except as permitted by Huntsville Town.~~
- ~~iv. People noises. Yelling, shouting, whistling, singing or conducting unnecessarily loud or annoying vocal utterances at any time or place, so as unreasonably to annoy or disturb the quiet, comfort or repose of any person in any hospital, residential medical facility, school,~~

Commented [SH6]: Move Noise to "Noise Restrictions" into each zone section of Title 15

Commented [B87]: Please reconsider the noise statute. I would recommend that these be moved to the zone chapters which would list noise as a condition. If not, please simplify. Noise is very difficult to enforce.

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place of worship, place of business or dwelling, hotel or other type of residence, or of any person in the vicinity.

- v. ~~Animals, including but not limited to birds and dogs. The keeping of any animal, including but not limited to any bird or dog, which, by causing frequent or long continued noise, shall disturb the comfort or repose of any persons in the vicinity. For purposes of this subsection, a dog barking continually for ten (10) minutes or intermittently for thirty (30) minutes, unless provoked, and plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which or land on which it is located, shall be prima facie evidence of a violation of this section.~~
- vi. ~~Exhausts. The discharge into the open air of the exhaust of any steam engine, stationary jet or internal combustion engine or motor vehicle, except through a properly functioning muffler or other device which will effectively prevent loud or explosive noises therefrom.~~
- vi. ~~Overloaded, improperly operated vehicles. The use of any automobile, motorcycle, truck or vehicle so out of repair, or so loaded or operated in such a manner as to create loud and unnecessary grating, grinding, rattling or other loud or disturbing noise.~~

vii.g. ~~Construction work. The excavation, grading, paving, erection, demolition, alteration or repair of any premises, street, building or structure at any time other than between the hours of 8:00 A.M. and 6:00 P.M. on Sundays, or between the hours of 7:00 A.M. and 9:00 P.M. on all other days, except in case of urgent necessity in the interest of public health and safety. Notwithstanding the foregoing, if the Mayor or his/her designated official shall determine that the public health and safety will not be impaired by such work within the prohibited hours, and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done within the prohibited hours, upon application being made at the time the permit for the work is issued or during the progress of the work. The provisions of this subsection shall not apply to interior or exterior repairs or to interior alterations, the work for which is actually performed personally by a homeowner or other occupant or tenant between the hours of 8:00 A.M. and 10:00 P.M., provided, that the work shall be done without undue noise or disturbance of the peace and quiet of the nearby residences or of the neighborhood.~~

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viii. ~~h. Machinery – landscaping equipment. Blowers, fans or engines. The operation of any noise creating blower (including but not limited to leaf blowers) or power fan, or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from such blower, fan or combustion engine is adequately muffled and such engine is equipped with a muffler device sufficient to deaden such noises. In addition, the~~

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operation or use of any of such equipment between the hours of 10:00 P.M. and 8:00 A.M., shall not be permitted; except that the use of any snow blower shall not be prohibited during these times when used to clear sidewalks, walkways or driveways following a snow storm, nor shall the use of any portable generator be prohibited during these times when used during a power outage caused by a storm or other natural disaster.

~~ix. Lawnmowers or chain saws. The operation or use of any power lawnmower or chain saw between the hours of 10:00 P.M. and 8:00 A.M.~~

Nuisance (Examples) CONT.

~~4. B. An act which affects the public in any of the ways specified in this section is still a nuisance regardless if the extent of annoyance or damage inflicted on individuals is unequal.~~

4. Agricultural Operations

- a. Agricultural operation means the production of crops, orchards, livestock, poultry, bees, aquaculture, livestock products, or poultry products.
- b. Local Limits. Huntsville Town shall encourage the continuity and viability of existing agriculture operations. The Town Council has authority to exempt such operations from local laws that unreasonably restrict or interfere with farm structures or farm practices in a bona fide agriculture operation, unless such regulation is necessary in direct relation to public health, safety or welfare.
- c. Nuisance Liability. Agricultural operations that are consistent with sound agricultural practices are presumed to be reasonable and do not constitute a nuisance. Agricultural operations undertaken in conformity with federal, state, and Town laws and regulations, including the Town's zoning ordinances, are presumed to be operating within sound agricultural practices

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~~h.5. Abatement. Any nuisance specified under this Section is subject to abatement at the direction of the Municipal Inspector as provided in this Chapter.~~

~~i.6. Municipal Inspector. In accordance with Utah Code §10-11-1, the mayor, with the advice and consent of the Town Council, shall appoint a Municipal Inspector for the purpose of carrying out the provisions of this Chapter.~~

~~j.7. Limitations. Except as provided in subsection 7 n-SUBSECTION (requirements), Huntsville Town shall not:~~

- a. Prohibit an owner or occupant of real property within the Town from selecting a person to provide an abatement service for injurious and noxious weeds, garbage and refuse, a public nuisance, or an illegal object or structure.
- b. Require that an owner or occupant use the services of the Municipal Inspector or any assistance employed by the Municipal Inspector to provide an abatement service.

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k-8. Requirements. Huntsville Town may require an owner or occupant to:

- a. Use the abatement services of the Municipal Inspector, including the use of a certified decontamination specialist as described in Utah Code §19-6-906, or any assistance employed by the Municipal Inspector if:
 - i. The Municipal Inspector provides notice to abate within a reasonable period of time of at least ten (10) days to the owner(s) or occupant(s) of the subject property as described in Utah Code §10-11-2; and
 - ii. The owner(s) or occupant(s) fail to abate the nuisances on the subject property within the ten (10) day reasonable period of time and in accordance with the notice.
- b. The Town may require that an owner or occupant use the abatement services of a certified decontamination specialist to abate hazardous materials and the Municipal Inspector may provide notice to abate the hazardous materials within a period of at least ten (10) days.
- c. Nothing in the state law or this Chapter may be construed:
 - i. As authorizing the Town to regulate items that are within the exclusive jurisdiction of the Department of Agriculture and Food, as provided in Utah Code §4-2-305, including commercial feed, fertilizer, pesticides, and seeds; or
 - ii. As limiting or abrogating the authority of a local health department under Utah Code §19-6-905.

1.9. Liability. The owner(s) and/or occupant(s) are liable for any damage, injury, or death that may result from a nuisance on their property.

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08.04.020 Inspection and Notice.

1. Duties. In accordance with Utah Code §10-11-2, the Municipal Inspector is authorized and directed to:
 - a. Examine and investigate real property for nuisances
 - b. Issue an order restricting access to a structure and real property surrounding the structure while the Municipal Inspector or a certified decontamination specialist abates hazardous materials within the structure.
2. Limitations. The Municipal Inspector cannot abate conditions solely associated with the interior of a structure, unless required:
 - a. For the demolition and removal of the structure; or
 - b. To eliminate or remove hazardous materials within a structure that has been closed to occupancy or entry by a local health department or fire department.
3. Notice. Where the Municipal Inspector conducts an examination and investigation and determines a violation or nuisance exists, the Municipal Inspector shall deliver written notice of the examination and investigation in accordance with Utah Code §10-11-2(2).
 - a. The Municipal Inspector shall serve written notice to a property owner of record according to the records of the county recorder
 - b. The Municipal Inspector may serve written notice to a non-owner occupant of the property or another person responsible for the property who is not the owner of

record, including a manager or agent of the owner, if the property owner is not an occupant of the property.

c. The Municipal Inspector may serve the written notice:

- i. In person or by mail to the property owner of record if mailed to the last-known address of the owner according to the records of the county recorder; or
- ii. In person or by mail to a non-owner occupant or another person responsible for the property who is not the owner of record if mailed to the property address.

4. Notice Contents. In the written notice the Municipal Inspector shall:

- a. Identify the property owner of record according to the records of the county recorder;
- b. Describe the property and the nature and results of the examination and investigation conducted
- c. Identify the relevant code violation at issue and describe the violation citing the specific code;
- d. Describe each order, fine, or penalty that may be imposed;
- e. Special requirements for involving a structure or real property closed to occupancy:
 - i. For a structure or any real property closed to occupancy or entry by a local health department because of hazardous materials, explain the right of a property owner, occupant, or, if applicable, another person responsible for the property to abate the hazardous materials or appeal the notice within one-hundred eighty (180) days after the day on which notice is delivered in person or the date the notice is post-marked; and
 - ii. Require the property owner, occupant, or, if applicable, another person responsible for the property to:
 1. Eradicate or destroy and remove any identified item examined and investigated under Utah Code §10-11-2(1)(a); and
 2. Comply with Utah Code §10-11-2(2)(c)(vi)(A) in a time period designated by the Municipal Inspector but no less than ten (10) days after the day on which notice is delivered in person or post-marked, or for a notice related to hazardous materials, no less than one-hundred eighty (180) days after the day on which notice is delivered in person or post-marked.
 - iii. For a structure or any real property closed to occupancy or entry by a local health department because of hazardous materials, unless an order issued by a court of competent jurisdiction states otherwise, Huntsville Town may not impose a fine or penalty on a property owner, occupant, or another person responsible for the structure or real property, and may not authorize a Municipal Inspector or a certified decontamination specialist to begin abatement of the hazardous materials, until:
 1. The appeal and administrative proceeding process is completed; or
 2. The property owner, occupant, or another person responsible for the property has missed the deadline for filing the appeal.

Commented [SH12]: Why is this 180 days? Seems long for hazardous materials. Also, discrepant with section 8 above.

Commented [SH13]: Same discrepancy as above 10 vs 180?

- f. For a notice of injurious and noxious weeds, the Municipal Inspector is not required to make more than one (1) notice for each annual season of weed growth for weeds growing on a property.

08.04.030 Abatement Procedure

Commented [B&14]: Taking out a lot of the references to the state code. The code is mentioned multiple times.

1. Administrative Proceedings. The procedure for administrative proceedings in Chapter 02.14 applies to this Chapter as specified in state law and implemented by the Municipal Code.
2. Failure to Comply. If an owner of, occupant of, or other person responsible for real property described in the notice delivered the Municipal Inspector may:
 - a. At the expense of the Town, employ necessary assistance to enter the property and destroy, remove, or abate one or more items or conditions identified in a written notice and
 - b. Prepare an itemized statement in accordance with Utah Code §10-11-3(1)(b); and
 - c. Mail to the owner of record according to the records of the Weber County Recorder a copy of the statement demanding payment within 30 days after the day on which the statement is post-marked.
3. Itemized Statement. The itemized statement shall include:
 - a. The address of the property;
 - b. An itemized list of and demand for payment for all expenses, including administrative expenses, incurred by the Town under; and
 - c. The address of the Town Treasurer where payment may be made for the expenses; and
 - d. Notify the property owner:
 - i. That failure to pay the expenses described in Utah Code §10-11-3(1)(b)(i)(B) may result in a lien on the property in accordance with Utah Code §10-11-4;
 - ii. That the owner may file a written objection to all or part of the statement within twenty (20) days after the day of the statement post-mark; and
 - iii. That the owner may file the objection with the Town Clerk/Recorder, including the address.
 - e. A statement mailed is delivered when mailed by certified mail addressed to the property owners of record of the last-known address according to the records of the Weber County Recorder.
4. Lien. The Town may file a notice of a lien, including a copy of the statement described in Utah Code §10-11-3(1)(a)(ii)(A), or a summary of the statement in the records of the Weber County Recorder.
 - a. If the Town files a notice of a lien indicating that the Town intends to certify the unpaid costs and expenses, the Town shall file for record in the Weber County Recorder's office a release of the lien after all amounts owing are paid.
 - b. If an owner fails to file a timely written, or to pay the amount set forth in the statement, the Town may:
 - i. File an action in a court with jurisdiction under Title 78A, Judiciary and Judicial Administration; or

- ii. Certify the past due costs and expenses to the county treasurer in accordance with Utah Code §10-11-4.
- 5. Collection. If the Town pursues collection of the costs in accordance with Utah Code §10-11-3(2)(a)(i) or (4)(a), the Town may:
 - a. Sue for and receive judgment for all removal and destruction costs, including administrative costs, and reasonable attorney fees, interest, and court costs; and
 - b. Execute on the judgment in the manner provided by law.
- 6. Objection. If a property owner files an objection the Town shall:
 - a. Hold a hearing in accordance with Title 52, Chapter 4, Open and Public Meetings Act; and
 - b. Mail or deliver notice of the hearing date and time to the property owner.
- 7. Hearing. At the hearing
 - a. The Town shall review and determine the actual cost of abatement
 - b. The property owner shall pay any actual cost due after a decision by the Town at the hearing to the Town Treasurer within thirty (30) days after the day on which the hearing is held.
- 8. Failure to Pay. If the property owner fails to pay, the Town may:
 - a. File an action in a court with jurisdiction under Title 78A, Judiciary and Judicial Administration, for the actual cost determined under Subsection (3)(b); or
 - b. Certify the past due costs and expenses to the county treasurer in accordance with Utah Code §10-11-4.
- 9. Reservations. The state law section does not affect or limit:
 - a. The Town Council's power to pass an ordinance as described in Utah Code §10-3-702; or
 - b. A criminal or civil penalty imposed by a municipality in accordance with Utah Code §10-3-703.

08.04.040 Cost Recovery.

In accordance with Utah Code §10-11-4, the Town may recover the cost of removal and abatement as part of the tax notice.

08.04.050 Non-exclusive Remedy.

This Chapter shall not be construed to exclude any other remedy provided by law or equity.

08.04.060 Penalty.

In accordance with Utah Code §10-3-703, and subject to any Administrative Proceedings, the following penalties apply:

- 1. Criminal. Any person who violates this Chapter is guilty of a class B misdemeanor and a fine not to exceed \$1,000.
- 2. Civil. Any person who violates this Chapter is subject to a civil fine not to exceed \$1,000, per day that the violation continues.

Commented [9E15]: To simplify - I recommend we just reference the state code. This process will apply to very few people and most of these actions apply to Huntsville Town and their procedure with the County. Huntsville Town can reference and follow the State Code if it gets to that point.

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Section 3: Repealer. Chapter 2 is hereby repealed in its entirety.

Section 4: 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 5: Effective date. This Ordinance takes effect immediately upon adoption and posting.

PASSED AND ADOPTED by the Town Council on this.

Mayor

ATTEST:

Town Clerk/Recorder

RECORDED this 2025.

PUBLISHED OR POSTED this ____ day of _____, 20 ____.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the Town Clerk of Huntsville Town, hereby certify that foregoing ordinance was duly passed, published and/or posted as required by State Law.

Town Clerk

DATE: _____

15.8.11 Noise Restrictions (for C-1 Zone)

- A. No outside amplified sound after 10 PM. Quiet hours are 10 PM to 8 AM.
- B. No continuous or excessive noise or any noise which endangers the health, safety or welfare of the community. This does not apply to bells or chimes at places of worship; to the playing of bands; to municipal, county, state or federal government agencies in connection with any emergency; to normal working activities of or activities permitted by the governing body; to warning devices on authorized emergency vehicles; or to horns or other warning devices on other vehicles used only for traffic safety purposes.
- C. Agricultural operations--"Agricultural operation" means the production of crops, orchards, livestock, poultry, bees, aquaculture, livestock products, or poultry products. Noise from agricultural operations and those agricultural operations which are conducted in the normal and ordinary course of agricultural operations or conducted in accordance with sound agricultural practices are permitted and excluded from noise restrictions.
- D. The keeping of any animal, including but not limited to any bird or dog, which, by causing frequent or long continued noise, shall disturb the comfort or repose of any persons in the vicinity between the hours of 10 PM and 8 AM. This excludes roosters in keeping with the agricultural environment of Huntsville Town.
- E. Construction work. The excavation, grading, paving, erection, demolition, alteration or repair of any premises with a building permit; street, building or structure at any time other than between the hours of 8:00 A.M. and 6:00 P.M. on Sundays, or between the hours of 7:00 A.M. and 9:00 P.M. on all other days, except in case of urgent necessity in the interest of public health and safety. Notwithstanding the foregoing, if the Mayor or his/her designated official shall determine that the public health and safety will not be impaired by such work within the prohibited hours, and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done within the prohibited hours, upon application being made at the time the permit for the work is issued or during the progress of the work. The provisions of this subsection shall not apply to interior repairs or to interior alterations, the work for which is actually performed personally by a homeowner or other occupant or tenant between the hours of 8:00 A.M. and 10:00 P.M., provided, that the work shall be done without undue noise or disturbance of the peace and quiet of the nearby residences or of the neighborhood.
- F. Blowers, fans or engines. The exterior operation of any noise-creating blower, fan or continuous running of an engine between the hours of 10 PM and 8 AM (including but not limited to leaf blowers and blow-up structures) or power fan, or any internal combustion engine. In addition, the operation or use of any of such equipment between the hours of 10:00 P.M. and 8:00 A.M., shall not be permitted; except that the use of any snow blower shall not be prohibited during these times when used to clear sidewalks, walkways or driveways within 24 hours of a snow storm, nor shall the use of any generator be prohibited during these times when used during a power outage.
- G. Lawnmowers or chain saws. The operation or use of any power lawnmower or chain saw between the hours of 10:00 P.M. and 8:00 A.M.

15.8A.12 Noise Restrictions (for C-2 Zone)

- A. No outside amplified sound after 10 PM. Quiet hours are 10 PM to 8 AM.
- B. No continuous or excessive noise or any noise which endangers the health, safety or welfare of the community. This does not apply to bells or chimes at places of worship; to the playing of bands; to municipal, county, state or federal government agencies in connection with any emergency; to normal working activities of or activities permitted by the governing body; to warning devices on authorized emergency vehicles; or to horns or other warning devices on other vehicles used only for traffic safety purposes.
- C. Agricultural operations--"Agricultural operation" means the production of crops, orchards, livestock, poultry, bees, aquaculture, livestock products, or poultry products. Noise from agricultural operations and those agricultural operations which are conducted in the normal and ordinary course of agricultural operations or conducted in accordance with sound agricultural practices are permitted and excluded from noise restrictions.
- D. The keeping of any animal, including but not limited to any bird or dog, which, by causing frequent or long continued noise, shall disturb the comfort or repose of any persons in the vicinity between the hours of 10 PM and 8 AM. This excludes roosters in keeping with the agricultural environment of Huntsville Town.
- E. Construction work. The excavation, grading, paving, erection, demolition, alteration or repair of any premises with a building permit; street, building or structure at any time other than between the hours of 8:00 A.M. and 6:00 P.M. on Sundays, or between the hours of 7:00 A.M. and 9:00 P.M. on all other days, except in case of urgent necessity in the interest of public health and safety. Notwithstanding the foregoing, if the Mayor or his/her designated official shall determine that the public health and safety will not be impaired by such work within the prohibited hours, and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done within the prohibited hours, upon application being made at the time the permit for the work is issued or during the progress of the work. The provisions of this subsection shall not apply to interior repairs or to interior alterations, the work for which is actually performed personally by a homeowner or other occupant or tenant between the hours of 8:00 A.M. and 10:00 P.M., provided, that the work shall be done without undue noise or disturbance of the peace and quiet of the nearby residences or of the neighborhood.
- F. Blowers, fans or engines. The exterior operation of any noise-creating blower, fan or continuous running of an engine between the hours of 10 PM and 8 AM (including but not limited to leaf blowers and blow-up structures) or power fan, or any internal combustion engine. In addition, the operation or use of any of such equipment between the hours of 10:00 P.M. and 8:00 A.M., shall not be permitted; except that the use of any snow blower shall not be prohibited during these times when used to clear sidewalks, walkways or driveways within 24 hours of a snow storm, nor shall the use of any generator be prohibited during these times when used during a power outage.
- G. Lawnmowers or chain saws. The operation or use of any power lawnmower or chain saw between the hours of 10:00 P.M. and 8:00 A.M.

15.6.17. Noise Restrictions (for R-1 Zone)

- A. No amplified sound, which carries sound further than 50 feet, with the exception for emergency circumstances and for a private event such as a wedding. It is requested that neighbors be notified prior to a private event if there will be amplified sound that carries more than 50 feet. No amplified sound permitted, in any situation, after 10 PM. Quiet hours are 10 PM to 8 AM.
- B. No continuous or excessive noise or any noise which endangers the health, safety or welfare of the community, or which disturbs, injures or endangers the comfort, repose, health, peace or safety of others within Huntsville Town. This does not apply to bells or chimes at places of worship; to the playing of bands or orchestras in a hall or building in a manner that will not disturb the peace, comfort and quiet of the neighboring inhabitants; to municipal, county, state or federal government agencies in connection with any emergency; to normal working activities of or activities sponsored by the governing body; to warning devices on authorized emergency vehicles; or to horns or other warning devices on other vehicles used only for traffic safety purposes.
- C. Agricultural operations--"Agricultural operation" means the production of crops, orchards, livestock, poultry, bees, aquaculture, livestock products, or poultry products. Noise from agricultural operations and those agricultural operations which are conducted in the normal and ordinary course of agricultural operations or conducted in accordance with sound agricultural practices are permitted and excluded from noise restrictions.
- D. The keeping of any animal, including but not limited to any bird or dog, which, by causing frequent or long continued noise, shall disturb the comfort or repose of any persons in the vicinity between the hours of 10 PM and 8 AM. This excludes roosters in keeping with the agricultural environment of Huntsville Town.
- E. Construction work. The excavation, grading, paving, erection, demolition, alteration or repair of any premises with a building permit; street, building or structure at any time other than between the hours of 8:00 A.M. and 6:00 P.M. on Sundays, or between the hours of 7:00 A.M. and 9:00 P.M. on all other days, except in case of urgent necessity in the interest of public health and safety. Notwithstanding the foregoing, if the Mayor or his/her designated official shall determine that the public health and safety will not be impaired by such work within the prohibited hours, and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done within the prohibited hours, upon application being made at the time the permit for the work is issued or during the progress of the work. The provisions of this subsection shall not apply to interior repairs or to interior alterations, the work for which is actually performed personally by a homeowner or other occupant or tenant between the hours of 8:00 A.M. and 10:00 P.M., provided, that the work shall be done without undue noise or disturbance of the peace and quiet of the nearby residences or of the neighborhood.
- F. Blowers, fans or engines. The exterior operation of any noise-creating blower, fan or continuous running of an engine between the hours of 10 PM and 8 AM (including but not limited to leaf blowers) or power fan, or any internal combustion engine. In addition, the operation or use of any of such equipment between the hours of 10:00 P.M. and 8:00 A.M.,

shall not be permitted; except that the use of any snow blower shall not be prohibited during these times when used to clear sidewalks, walkways or driveways within 24 hours of a snow storm, nor shall the use of any generator be prohibited during these times when used during a power outage.

- G. Lawnmowers or chain saws. The operation or use of any power lawnmower or chain saw between the hours of 10:00 P.M. and 8:00 A.M.

15.10.7. Noise Restrictions (for A-3 Zone)

- A. No amplified sound, which carries sound further than 100 feet, with the exception for emergency circumstances and for a private event such as a wedding. It is requested that neighbors be notified prior to a private event if there will be amplified sound that carries more than 100 feet. No amplified sound permitted, in any situation, after 10 PM. Quiet hours are 10 PM to 8 AM.
- B. No continuous or excessive noise or any noise which endangers the health, safety or welfare of the community, or which disturbs, injures or endangers the comfort, repose, health, peace or safety of others within Huntsville Town. This does not apply to bells or chimes at places of worship; to the playing of bands or orchestras in a hall or building in a manner that will not disturb the peace, comfort and quiet of the neighboring inhabitants; to municipal, county, state or federal government agencies in connection with any emergency; to normal working activities of or activities sponsored by the governing body; to warning devices on authorized emergency vehicles; or to horns or other warning devices on other vehicles used only for traffic safety purposes.
- C. Agricultural operations--"Agricultural operation" means the production of crops, orchards, livestock, poultry, bees, aquaculture, livestock products, or poultry products. Noise from agricultural operations and those agricultural operations which are conducted in the normal and ordinary course of agricultural operations or conducted in accordance with sound agricultural practices are permitted and excluded from noise restrictions.
- D. The keeping of any animal, including but not limited to any bird or dog, which, by causing frequent or long continued noise, shall disturb the comfort or repose of any persons in the vicinity between the hours of 10 PM and 8 AM. This excludes roosters in keeping with the agricultural environment of Huntsville Town.
- E. Construction work. The excavation, grading, paving, erection, demolition, alteration or repair of any premises with a building permit; street, building or structure at any time other than between the hours of 8:00 A.M. and 6:00 P.M. on Sundays, or between the hours of 7:00 A.M. and 9:00 P.M. on all other days, except in case of urgent necessity in the interest of public health and safety. Notwithstanding the foregoing, if the Mayor or his/her designated official shall determine that the public health and safety will not be impaired by such work within the prohibited hours, and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done within the prohibited hours, upon application being made at the time the permit for the work is issued or during the progress of the work. The provisions of this subsection shall not apply to interior repairs or to interior alterations, the work for which is actually performed personally by a homeowner or other occupant or tenant between the hours of 8:00 A.M. and 10:00 P.M., provided, that the work shall be done without undue noise or disturbance of the peace and quiet of the nearby residences or of the neighborhood.
- F. Blowers, fans or engines. The exterior operation of any noise-creating blower, fan or continuous running of an engine between the hours of 10 PM and 8 AM (including but not limited to leaf blowers) or power fan, or any internal combustion engine. In addition, the operation or use of any of such equipment between the hours of 10:00 P.M. and 8:00 A.M.,

shall not be permitted; except that the use of any snow blower shall not be prohibited during these times when used to clear sidewalks, walkways or driveways within 24 hours of a snow storm, nor shall the use of any generator be prohibited during these times when used during a power outage.

- G. Lawnmowers or chain saws. The operation or use of any power lawnmower or chain saw between the hours of 10:00 P.M. and 8:00 A.M.