



Ordinance No. O-25-07

**AN ORDINANCE AMENDING GARLAND CITY CODE SECTION 1-4 TO INCLUDE A
GENERAL PENALTY CLAUSE**

WHEREAS, the Garland City Council recognizes the need to ensure consistent enforcement of the Garland City Code; and

WHEREAS, certain sections of the Garland City Code may lack specific penalty provisions for violations; and

WHEREAS, the City Council desires to establish a general penalty provision to address offenses under the Garland City Code where no specific penalty is prescribed;
and

WHEREAS, the City Council finds that adopting a general penalty consistent with a Class B misdemeanor under the Utah State Code provides a fair and standardized approach to enforcement;

NOW, THEREFORE, be it ordained by the City Council of Garland City, Utah, as follows:

1. Amendment to Garland City Code

TITLE 1 ADMINISTRATION, CHAPTER 4, GENERAL PENALTY, SECTION 1,
SENTENCING of the Garland City Code Section is hereby amended to include the following provision:

1-4-1: SENTENCING:

A. Penalty For Violation Of Ordinance:

1. Criminal: The city council may impose a minimum criminal penalty for the violation of any municipal ordinance by a fine not to exceed the maximum class B misdemeanor fine under Utah Code Annotated section 76-3-301 or by a term of imprisonment up to six (6) months, or by both the fine and term of imprisonment.

2. Civil:

a. Except as provided in subsection A2b of this section, the city council may prescribe a minimum civil penalty for the violation of any municipal ordinance by a fine not to exceed the maximum class B misdemeanor fine under Utah Code Annotated section 76-3-301.

b. A municipality may not impose a civil penalty and adjudication for the violation of a municipal moving traffic ordinance.

B. Term Of Imprisonment For Misdemeanors:

A person who has been convicted of a misdemeanor may be sentenced to imprisonment as follows:

1. In the case of a class B misdemeanor, for a term not exceeding six (6) months;
2. In the case of a class C misdemeanor, for a term not exceeding ninety (90) days.

C. Infractions:

1. A person convicted of an infraction may not be imprisoned but may be subject to a fine, forfeiture and disqualification, or any combination.
2. Whenever a person is convicted of an infraction and no punishment is specified, the person may be fined as for a class C misdemeanor.

D. Fines Of Persons: A person convicted of an offense may, in addition to any term of imprisonment imposed, be sentenced to pay a fine not to exceed:

1. Class B Misdemeanor: One thousand dollars (\$1,000.00) when the conviction is of a class B misdemeanor conviction; and
2. Class C Misdemeanor; Infraction: Seven hundred fifty dollars (\$750.00) when the conviction is of a class C misdemeanor conviction or infraction conviction.

E. Fines Of Corporations: The sentence to pay a fine, when imposed upon a corporation, association, partnership or governmental instrumentality for an offense defined in this code, or the ordinances of the city, or for an offense defined outside of this code over which this city has jurisdiction, for which no special corporate fine is specified, shall be to pay an amount fixed by the court, not exceeding:

1. Class B Misdemeanor: Five thousand dollars (\$5,000.00) when the conviction is for a class B misdemeanor conviction; and
2. Class C Misdemeanor; Infraction: One thousand dollars (\$1,000.00) when the conviction is for a class C misdemeanor conviction or for an infraction conviction. (2006 Code)

F. General Penalty Clause: Except as outlined in section C.2. (infractions) above, in any case where a violation of the Garland City Code occurs and no specific penalty is provided within the respective section of the Code, the penalty for such offense shall be classified as a Class B misdemeanor under the Utah State Code, subject to the penalties and provisions as set forth in the Utah State Code in effect at the time of the offense.

2. Severability

If any provision of this ordinance is found to be invalid or unenforceable by a court of competent jurisdiction, such invalidity or unenforceability shall not affect the other provisions of this ordinance, which shall remain in full force and effect.

3. Effective Date

This ordinance shall take effect immediately upon its passage and publication as required by law.

PASSED AND ADOPTED by the Garland City Council on this 3 day of September, 2025.



Linda Bourne
Mayor, Garland City

ATTEST:



Kristal Edwards
City Recorder



CITY COUNCIL VOTE:

Jeanette Atkinson	☒	Yes	☐	No	☐	Absent
Sharla Nelson	☒	Yes	☐	No	☐	Absent
Tena Allen	☒	Yes	☐	No	☐	Absent
John Losee	☒	Yes	☐	No	☐	Absent
Josh Munns	☒	Yes	☐	No	☐	Absent

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