

**Preliminary Municipality Board of Echo Canyon, Utah**

Ordinance No. 2026-O-01

DATE: February 12, 2026

**AN ORDINANCE OF THE ECHO CANYON BOARD AN ORDINANCE AMENDING THE MUNICIPAL CODE TO ESTABLISH A DUAL CIVIL AND CRIMINAL ENFORCEMENT FRAMEWORK FOR PUBLIC OFFENSES, INCLUDING TRESPASS, VANDALISM, AND UNLAWFUL AIRCRAFT OPERATION.**

**RECITALS**

WHEREAS, the Echo Canyon, Utah (“**Echo Canyon**”) is a preliminary municipality and political subdivision of the state of Utah, duly organized under the laws of that State, and is authorized pursuant to Utah Code Ann. § 10-8-84 to enact ordinances to provide for the safety, preserve the health, promote the prosperity, and improve the peace and good order of Echo Canyon; and

WHEREAS, the Preliminary Municipality Board of Echo Canyon (“**Board**”) is authorized pursuant to Utah Code Ann. § 10-8-84 to enact ordinances to provide for the safety, preserve the health, promote the prosperity, and improve the peace and good order of Echo Canyon; and

WHEREAS, the Board finds that acts of trespass and vandalism degrade the community, cause financial harm to property owners, and diminish the quality of life within Echo Canyon; and

WHEREAS, the Board finds that the operation of unmanned aircraft (drones) at low altitudes above private property without the consent of the property owner interferes with the owner’s right to the exclusive use and enjoyment of their property, constitutes a form of trespass, and creates a nuisance; and

WHEREAS, the Board finds that Echo Canyon’s small size and limited dedicated code enforcement staff necessitate the adoption of a dual civil and criminal penalty system to ensure efficient and flexible enforcement of its ordinances and to deter prohibited conduct; and

WHEREAS, the Board finds it in the public interest to establish clear and legally enforceable penalties for such violations, consistent with the authority granted to municipalities under state law;

**NOW, THEREFORE, BE IT ORDAINED** by the Board, effective immediately upon posting as required by law:

- 1- Enactment of New Title. A new Title of the Echo Canyon Code is hereby enacted in substantially the form attached hereto as **Exhibit A**, subject to finalization and non-substantive corrections and changes, including legal and clerical review, and numbering for consistency with Echo Canyon Code generally.
- 2- Authorization; Delegation. That staff, including professional staff such as municipal counsel, and the Chair are authorized to carry out the appropriate and necessary administrative functions in accordance with this Ordinance.

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- 3- Severability; Conflicts. If any provision of this Ordinance is held invalid, the remainder shall continue in effect. This Ordinance supersedes any prior resolutions or ordinances to the extent of a conflict on the subject matter herein.
  
- 4- Effective Date. This Ordinance is effective upon posting as required by law.

ADOPTED AND APPROVED, AND ORDAINED at a duly called meeting of the Board of the Preliminary Municipality of Echo Canyon on this \_\_\_<sup>th</sup> day of February 2026.

[execution on following page]

Approved 2/12/26

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**Echo Canyon, Utah**

By: \_\_\_\_\_

Craig Weston, Chair

**ATTEST**

\_\_\_\_\_  
Acting Clerk/Recorder

**VOTING:**

Craig Weston	Chairman of the Board	voting	_____
Thomas Gottlieb	Board Member	voting	_____
Trent Arnold	Board Member	voting	_____
Jonathan Hoffman	Board Member	voting	_____
Melodie McCandless	Grand County Board Member	voting	_____

Approved 2/12/20

**Exhibit A  
Text of Ordinance**

**Section 1: Title**

This ordinance shall be known and may be cited as the “Echo Canyon Public Offenses Ordinance.”

**Section 2: Incorporation of State Law**

Unless otherwise specified herein, the definitions, requirements, and standards of culpability set forth in the Utah Criminal Code, Utah Code Ann. Title 76, are hereby incorporated by reference and shall apply to this ordinance.

**Section 3: Prohibited Acts**

It is a violation of this Ordinance for any person to commit any of the following acts within the corporate limits of Echo Canyon:

3.1 Criminal Trespass. To commit an act of criminal trespass as defined and proscribed by Utah Code Ann. § 76-6-206.

3.2 Criminal Vandalism. To commit an act of criminal mischief or property destruction as defined and proscribed by Utah Code Ann. § 76-6-106.

3.3 Unlawful Operation of Unmanned Aircraft. To operate an unmanned aircraft system (drone) in the airspace immediately above private property at an altitude below 400 feet from the surface without the express consent of the property owner or the owner’s agent. This section shall not apply to unmanned aircraft operated by law enforcement, emergency services, or public utilities in the performance of their official duties, or to aircraft operations that are passing over a property for the sole purpose of transit to another location.

3.4 Other Violations. To violate any other provision of Echo Canyon Code properly enacted by ordinance.

**Section 4: Enforcement and Penalties**

4.1 Choice of Remedy. A violation of this Ordinance may be enforced through a criminal proceeding or a civil proceeding, at the discretion of the municipal counsel attorney or a designated enforcement official.

4.2 Criminal Penalty. Any person who violates any provision of this Ordinance, or any Title of Echo Canyon Code notwithstanding provisions to the contrary in other Titles or Chapters, may be charged with a Class B Misdemeanor, punishable by a fine not to exceed \$1,000, imprisonment for a term not to exceed six months, or both, as provided in Utah Code Ann. §§ 76-3-204 and 76-3-301, et seq.

4.3 Civil Penalty. As an alternative to a criminal charge, any person who violates any provision of this Ordinance shall be subject to a civil penalty, enforceable through an administrative or judicial proceeding, of \$1,000 for each such violation.

4.4 Continuing Violation. Each day that a violation continues after notice has been given to the violator may be considered a separate offense for purposes of calculating civil penalties.

4.5 Additional Remedies. Echo Canyon may seek any other available legal or equitable remedy, including but not limited to injunctive relief to prevent or halt a violation and an order of abatement. Echo Canyon is entitled to recover its costs and reasonable attorney’s fees in any successful civil enforcement action, as provided by law.