# ORDINANCE NO. 26-14

**AN ORDINANCE OF ELK RIDGE CITY, UTAH, RECLASSIFYING CERTAIN MUNICIPAL CODE VIOLATIONS AS INFRACTIONS OR CLASS C MISDEMEANORS; AND PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Elk Ridge City is authorized under Utah law to enact and amend ordinances and establish penalties for violations of the Elk Ridge City Code; and

WHEREAS, the City maintains a schedule identifying certain City Code violations, applicable fines, and offenses requiring a mandatory court appearance; and

WHEREAS, the City Council desires to classify the offenses identified in Exhibit A with scheduled monetary fines as infractions and those identified for mandatory court appearance as Class C misdemeanors, subject to applicable state law; and

WHEREAS, as required by Utah Code § 10-3-702.1 the City Council has considered the impact this Ordinance may have on family health, stability, and formation.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF ELK RIDGE CITY, UTAH, AS FOLLOWS:**

**SECTION 1. EXHIBIT A ADOPTED.**

The Elk Ridge City Misdemeanor and Infraction Fine Schedule, attached hereto as **Exhibit A** and incorporated herein by reference, is hereby adopted.

**SECTION 2. OFFENSE CLASSIFICATIONS.**

Notwithstanding any conflicting provision of the Elk Ridge City Code, the offenses identified in **Exhibit A** shall be classified as follows:

**A. Infractions.** Any offense identified in Exhibit A with a scheduled monetary fine and not designated for mandatory court appearance is hereby classified as an infraction.

**B. Class C Misdemeanors.** Any offense identified in Exhibit A as requiring a mandatory court appearance is hereby classified as a Class C misdemeanor.

**SECTION 3. PENALTIES AND STATE LAW.**

Scheduled fines for infractions shall be as provided in Exhibit A and shall not exceed the maximum authorized by Utah law. A person convicted solely of an infraction may not be sentenced to imprisonment.

A Class C misdemeanor shall be subject to the penalties authorized by Utah law, including a fine not exceeding seven hundred fifty dollars ($750.00) and imprisonment for a term not exceeding ninety (90) days.

Nothing in this Ordinance or Exhibit A shall supersede any offense classification, penalty, or limitation established by state law. Where state law establishes a different requirement, including limitations applicable to violations involving an individual's pet or residence, state law shall control.

**SECTION 4. CONFORMING AMENDMENTS AND PRIOR SCHEDULES.**

Any provision of the Elk Ridge City Code, prior resolution, fine schedule, or violation schedule that conflicts with the classifications or penalties established by this Ordinance and Exhibit A is hereby amended or superseded to the extent of the conflict.

The City Recorder and City staff are authorized to make nonsubstantive administrative and codification changes necessary to implement this Ordinance.

**SECTION 5. SEVERABILITY.**

If any provision of this Ordinance or Exhibit A is determined to be invalid or unenforceable, the remaining provisions shall remain in full force and effect.

**SECTION 6. EFFECTIVE DATE.**

This Ordinance shall become effective upon publication or posting as required by Utah law.

PASSED AND ADOPTED by the City Council of Elk Ridge City, Utah, this ____ day of October 2026.

Approved by the Mayor:

_____

Mayor, Robert Haddock

| | |
|---|---|
| Councilmember Jared Peterson | Voted |
| Councilmember Tanya Willis | Voted |
| Councilmember Russ Adamson | Voted |
| Councilmember Melanie Paxton | Voted |
| Councilmember Charles Wixom | Voted |

ATTEST

_____

Spencer Foster, City Recorder

AFFIDAVIT OF POSTING

STATE OF UTAH )
) ss.
COUNTY OF UTAH )

I, Spencer Foster, City Recorder of the City of Elk Ridge, Utah, do hereby certify and declare that I posted in three (3) public places Ordinance #26-14 which is attached hereto on the ____ day of_____ 2026.

The three places are as follows:

1. The Elk Ridge City Office, 80 E Park Drive

2. The Elk Ridge City Website elkridgeutah.gov

3. The Utah Public Notice Website Utah.gov

I further certify that copies of the ordinance so posted were true and correct copies of said ordinance.

_____
SPENCER FOSTER
Elk Ridge City Recorder

The foregoing instrument was acknowledged before me this _____day of _____, 2026 by SPENCER FOSTER.

My Commission Expires:

_____
Notary Public

Residing at: Utah County

# EXHIBIT A

## ELK RIDGE CITY CODES

| CLASS C MISDEMEANOR | | 1st | 2nd | 3rd | Habit. |
|---|---|---|---|---|---|
| Fireworks | 4-6-4 | Court Appearance | | | |
| Discharge of Firearm | 4-8-2 | Court Appearance | | | |
| Discharging Weapon | 4-8-3 | Court Appearance | | | |
| Dog Attack | 5-2A-15 | Court Appearance | | | |
| Vicious Animal | 5-2A-16 | Court Appearance | | | |
| Cruelty to Animals | 5-2A-18 | Court Appearance | | | |
| | | | | | |
| **INFRACTION** | | **1st** | **2nd** | **3rd** | **Habit.** |
| Soliciting without a License | 3-4-2 | $50 | $75 | $100 | $500 |
| Nuisance – Animals | 4-2A-3(C) | $50 | $75 | $100 | $500 |
| Nuisance – Dangerous Condition | 4-2A-3(I) | $50 | $75 | $100 | $500 |
| Nuisance – Junk Accumulation | 4-2A-3(U) | $100 | $150 | $200 | $500 |
| Nuisance – Public Disturbance | 4-2A-3(X) | $100 | $150 | $200 | $500 |
| Nuisance – Construction/Machinery | 4-2A-3(Y) | $100 | $125 | $150 | $500 |
| Nuisance – Motor Vehicles | 4-2A-3(Z) | $50 | $75 | $100 | $500 |
| Nuisance – Noise Sports/Outdoor Activities | 4-2A-3(AA) | $25 | $50 | $75 | $500 |
| Nuisance – Parking/Storage – Distressed Vehicles | 4-2A-3(DD) | $75 | $100 | $150 | $500 |
| Nuisance – Parking/Storage – Trailers Etc. | 4-2A-3(EE) | $75 | $100 | $150 | $500 |
| Nuisance – Storage of Materials | 4-2A-3(KK) | $100 | $200 | $300 | $500 |
| Handbills and Posters | 4-4-2 | $50 | $75 | $100 | |
| Hazardous Materials | 4-5-2 | $100 | $200 | $300 | |
| Dog Running at Large | 5-2A-12 | $50 | $75 | $100 | |
| Cat Running at Large | 5-2A-13 | $50 | $75 | $100 | |
| Animal Nuisance | 5-2A-14 | $50 | $75 | $100 | |
| Livestock at Large | 5-2A-17 | $50 | $75 | $100 | |
| Curfew Violation | 5-3-3 | $25 | $50 | $75 | |
| Snow Removal – Parking | 6-1-4 | $75 | $125 | $175 | |
| ATV – Under Age | 6-2-4 | $50 | $75 | $100 | |
| ATV – Permission | 6-2-5 | $50 (Max fine in code) | | | |
| ATV – Helmet | 6-2-7 | $50 (Max fine in code) | | | |
| ATV – Registration | 6-2-8 | $50 | $75 | $100 | |
| ATV – Speed Limit | 6-2-9 | $100 | $125 | $150 | |
| ATV – Private Property | 6-2-10 | $100 | $125 | $150 | |

Class C Misdemeanor – Max $750, 90 days in jail
Infraction – Max $750, no jail time