

**MIDVALE CITY, UTAH
ORDINANCE NO. 2023-O-10**

**AN ORDINANCE AMENDING MIDVALE MUNICIPAL CODE SECTION
10.15.160 OVERNIGHT PARKING OF CERTAIN VEHICLES PROHIBITED.**

WHEREAS, Midvale City is authorized to “regulate the use of streets, alleys, avenues, sidewalks, crosswalks, [...] and install, prevent, or remove obstructions and encroachments thereon” under Utah Code Annotated § 10-8-11; and

WHEREAS, pursuant to Utah Code Annotated § 41-6a-207(3)(b), the City is authorized to adopt “additional traffic ordinances not in conflict with [Title 41, Chapter 6a of the Utah Code Annotated];” and

WHEREAS, the Midvale City Council is authorized to “pass all ordinances and rules, and make all regulations, not repugnant to law, [...] as are necessary and proper to provide for the safety and preserve the health, and promote the prosperity, improve the morals, peace and good order, comfort, and convenience of the city and its inhabitants, and for the protection of property in the city” under Utah Code Annotated § 10-8-84(1); and

WHEREAS, residents have raised concerns about the impact and noise caused by generators, condensers, and other equipment being operated by recreational vehicles, trailers, and semitrucks between 10 PM and 7 AM; and

WHEREAS, Salt Lake County Health Regulation #21 *Community Noise Pollution Control* is difficult for law enforcement to enforce because its enforcement requires the use of a calibrated and certified sound meter; and

WHEREAS, local police officers are not equipped with calibrated and certified sound meters, and the acquisition of such sound meters is prohibitively expensive; and

WHEREAS, Midvale Municipal Code 10.15.160 only prohibits the parking of certain vehicles on public streets between 1 and 6 AM; and

WHEREAS, this current time restrictions are difficult to enforce with the available on-duty law enforcement during this period; and

WHEREAS, by amending Midvale Municipal Code 10.15.160 to mirror the quiet hours set by Salt Lake County Health Regulation #21, the City Council desires to and finds that it will improve the health, safety, and comfort of its residents and to improve the appearance of the City by removing the primary noise offenders from public streets during quiet hours; and

WHEREAS, the City Council desires and finds that the expansion of the time restrictions on the parking of certain vehicles will improve the ability for law enforcement to enforce these restrictions and improve the quality of life of residents.

NOW, THEREFORE, BE IT ORDAINED by the City Council of Midvale City, Utah, as follows:

Section 1. Midvale Municipal Code Section 10.15.160 *Overnight parking of certain vehicles* is amended as provided in Attachment A.

Section 2. This ordinance is effective upon publication in accordance with Section 10-3-711 of the Utah Code.

PASSED AND APPROVED this 20th day of June, 2023.



Marcus Stevenson, Mayor

[SEAL]



VOTING:

Bryant Brown	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Dustin Gettel	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Paul Glover	Yea <input type="checkbox"/>	Nay <input checked="" type="checkbox"/> Absent
Heidi Robinson	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>
Quinn Sperry	Yea <input checked="" type="checkbox"/>	Nay <input type="checkbox"/>

ATTEST:



Rori L. Andreason, MMC
City Recorder

Published this 22 day of June, 2023, on the Utah Public Notice Website.

10.16.150 Overnight parking of certain vehicles prohibited.

Unless otherwise posted, it is an infraction for any of the following vehicles to be parked on any street, alley, or roadway within the city between the hours of ~~one a.m.~~ 10:00 P.M. and ~~six a.m.~~ 7:00 A.M.:

- A. Buses;
- B. Mobile homes;
- C. Off-highway vehicles excluding street-legal ATVs;
- D. Pole trailers;
- E. Recreational vehicles;
- F. School buses;
- G. Semitrailers;
- H. Trailers;
- I. Truck tractors;
- J. Any vehicle without motive power; and
- K. Any vehicle that is more than eight feet tall, eight feet wide, twenty-two feet long, or has a gross weight in excess of ten thousand pounds.