

TRENTON TOWN NUISANCE ORDINANCE
Ordinance #010615

Be it ordained by the Town Council of Trenton, State of Utah as follows:

Section 1: STANDARD FOR MAINTAINING REAL PROPERTY:

It is unlawful for any person owning or occupying real property within the boundaries of Trenton Town to maintain on said real property any weeds, refuse or unsightly or deleterious or abandoned objects or structures, or burned out or partially burned out structures, or conditions which:

- A. Obstruct or tends to obstruct or render unsightly any canal, river, street or highway;
- B. Which in the opinion of the town council may be a menace to the public health or safety, or a fire hazard or other hazard to the inhabitants of Trenton Town or;
- C. Which may be defined as a public nuisance under the laws of the state of Utah.

Section 2: VIOLATION; CRIMINAL PENALTY:

Any person violating any of the provisions of this ordinance is guilty of a misdemeanor and, upon conviction thereof, shall be punished by fine of not more than two hundred ninety nine dollars (\$299.00) or by imprisonment in the county jail not to exceed six (6) months, or by both such fine and imprisonment. Imposition of one penalty for violation shall not excuse the violation or permit it to continue and all such persons shall be required to correct or remedy such violation or defect within a reasonable time and when not otherwise specified, each ten (10) days that the prohibited conditions are maintained, shall constitute a separate offense. Nothing contained herein shall be construed as limiting the right of Trenton Town to seek other remedies to enjoin any such person or persons from continuing such violation or to abate a nuisance. The application of the above penalty shall not be held to prevent enforced removal of the prohibited condition.

Section 3: VIOLATION; CIVIL REMEDIES:

In addition to any other remedies at law or in equity, Trenton Town following a vote of the Town Council may, through its Mayor or designated official or attorney, require the owner or occupant of real property maintained in violation of this ordinance to abate the nuisance, on written notice sent by United States mail. If, the nuisance is not abated within thirty (30) calendar days after the sending of such notice, Trenton Town may, through its Mayor or designated official or attorney, and with such assistance as they may require, enter on the property and abate the nuisance, at the expense of the owner of such property. In the event the Town abates the nuisance pursuant to this section, following such abatement, an invoice for the cost of such abatement, including any attorney's fees incurred, shall be sent to such owner by United States mail. In the event such invoice is not paid within thirty (30) calendar days from the date of the sending of the invoice, then Trenton Town may sue the owner for all such costs, together with interest from thirty (30) days after the sending of such invoice, and may collect the judgment by any lawful means available.

Section 4: RECOVERY OF ATTORNEY'S FEES AND COSTS:

In any civil action brought by Trenton Town to enforce the provisions of this ordinance or for the abatement of a nuisance within the boundaries of Trenton Town, Trenton Town shall be entitled

to an award of its attorney's fees and costs incurred in the action and representation of Trenton Town in connection with the matter leading up to the action.

ORDINANCE ADOPTING THE TRENTON TOWN NUISANCE ORDINANCE

WHEREAS, after giving the matter the legally required notice, the Trenton Town Council held a public hearing regarding the proposed Nuisance Ordinance; and

WHEREAS, the Trenton Town Council has determined that it is in the best interests of the Town to adopt the proposed Nuisance Ordinance as finally approved by the Town Council;

NOW, THEREFORE, the Town Council of Trenton, Utah hereby adopts, passes and publishes the following:

BE IT ORDAINED BY THE TOWN COUNCIL OF TRENTON, UTAH AS FOLLOWS:

1. The Nuisance Ordinance dated June, 2015 is hereby adopted, the full text of which is attached to this adopting Ordinance and incorporated herein as though stated in full in this adopting ordinance.

2. This adopting Ordinance and the attached Nuisance Ordinance shall become effective upon their first posting in three public places within the town.

ADOPTED AND PASSED by the Town Council of the Town of Trenton, Utah this ____ day of June, 2015.

TRENTON TOWN

By _____
Mayor

ATTEST:

City Recorder