

TITLE 5. MUNICIPAL PROPERTY.

CHAPTER 5-100. Regulation and Control.

5-101. Control of Property. (See UCA Sections 10-8-1 and 10-8-2).

5-102. Acquisition and Disposal. (See UCA Section 10-8-2.)

5-103. Erection and Care of Buildings. (See UCA Section 10-8-5.)

5-104. Unlawful Use. Unless authorized by permit, other written authorization issued by the municipality, or ordinance of the municipality now or hereafter enacted, it shall be a Class B misdemeanor for any person to: (Ord. 98-03)

- (A) Construct, lay, excavate, erect, operate or maintain over, under, across, in or through any property owned or controlled by this municipality any utility, canal, ditch, construction or building.
- (B) Enter upon any property of this municipality contrary to posting or marking restricting or prohibiting use of the area.
- (C) Intentionally use or perform acts upon property of the municipality which materially impairs, alters, or damages the property.

5-105. Repair or Restoration. The governing body, in addition to any other penalty which may be imposed, may order any person who has damaged, altered or changed any property of this municipality to repair or restore the property its original condition prior to the damage, alteration or change.

5-106. Franchise.

- (A) The governing body may grant to any person a franchise or easement on such terms and conditions as it deems reasonable, for the purpose of entering upon, constructing, building, operating and maintaining any business or for other use of the property of this municipality, and the provisions of Sections 5-104 and 5-105 shall not apply to the extent such provisions are waived, qualified or made inapplicable to the rights or privileges granted in the franchise ordinance or easement.
- (B) Any franchise or easement granted by this municipality shall be in writing and any franchise or easement not in writing shall be void.

5-107. Acts Exempted. It shall not be a violation of this part where any person uses the public property of this municipality in the manner or for the purpose or purposes for which such property has been made available for public use.

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