

MINUTES OF THE HUNTSVILLE TOWN COUNCIL MEETING
Wednesday, October 29, 2025, 6:00 p.m.
Huntsville Town Hall, 7474 E. 200 South, Huntsville

Name	Title	Status
Richard L. Sorensen	Mayor	Present
Bruce Ahlstrom	Council Member	Present
Sandy Hunter	Council Member	Present
Lewis Johnson	Council Member	Present
Artie Powell	Council Member	Present
William Morris	Legal Counsel	Excused
Nikki Wolthuis	Clerk	Present
Beckki Endicott	Clerk	Present

Citizens: Jim Truett, Jeff Keeney, Barbara Walker

1 Mayor Richard Sorensen called the meeting to order.
There is a full quorum present.

2-Pledge of Allegiance led by: Jeff Keeney

3-Opening Ceremony given by: Artie Powell

4-Public Comments:

Jeff Keeney- He suggested that they make a cross-country skiing track somewhere in town. The TC discussed what had been done in the past by community members including having one at the park for the winter carnival, down in the meadow south of Cemetery Point, or over by the boat club. They also discussed how to make it and where people could park. TCM Powell pointed out that since it was not Huntsville Town's property it wouldn't need Town Council approval. They gave him suggestions on who could make a track. TCM Ahlstrom suggested they talk to the new Forest Ranger about opening up the parking at Cemetery Point for people to park for both cross country skiing and ice fishing. Jeff was going to look into it to coordinate everything.

Jeff Keeney also wondered if the Town had a communication system for expressing needs and sharing goods? TC members discussed using existing Facebook pages like Ogden Valley Yard Sale and others that advertised similar things. Beckki Endicott, clerk, stated that they could put information about Facebook pages in their Welcome Packet to new residents.

Jim Truett- He wondered what was going to be put inside the roundabout. Mayor Sorensen stated that there was a design for it, but nothing but grass would be in it for now. It was stubbed for water and electricity.

5.Sheriff's Report No report

7. Discussion and/or action on approval of Minutes for Town Council Meeting October 16, 2025 (See Attachment #1)

TCM Sandy Hunter motioned to approve the Minutes for Town Council Meeting October 16, 2025. TCM Ahlstrom seconded the motion. All votes Ayes. Motion passed.

8. Discussion and/or action on approval of Town Council Meeting October 20, 2025 (See Attachment #2)

TCM Hunter corrected the sentence about the reason why it was better to get the tree stumps job done in the fall.

TCM Ahlstrom motioned to approve the Minutes for Town Council Meeting October 20, 2025 as amended. TCM Sandy Hunter seconded the motion. All votes Ayes. Motion passed.

9. Discussion and/or action on approval of Ordinance 2025-7-17 Nuisance Ordinance. (See attachment #3)

Beckki made little change to the ordinance. In the Nuisance and Abatement section she combined some concepts. In other sections she cut and pasted the current code into the new code. TCM Powell reformatted the Nuisance section to separate the types of nuisances from the definition of nuisances. **(Attachment #4)** The TC liked the changes. TCM Sandy Hunter was working on moving the noise regulations to each zone. **(Attachment #5)** TCM Ahlstrom felt like the job of government was to protect the health and safety of citizens but not make sure properties looked good. **(Attachment #6)** He also didn't like it when residents were constantly watching their neighbors to make sure that they were following the rules. TCM Johnson wanted to avoid words like "annoy" in the code. He also didn't think they needed to give every example of each nuisance. He felt like if there were so many examples it gives people a reason to complain against their neighbors. Beckki wondered if the council was against noxious weeds. TCM Powell gave an example where noxious weeds became a problem in the state where he used to live. The TC spoke at length about grass and weeds that were too long. Beckki stated that the majority of code complaints are about weeds.

Beckki also explained that the code needed to be specific enough so that the code enforcement officer could enforce the code.

The TC spoke about the fine per day of \$1,000 for violations. They wondered if it was too steep. Beckki described a recent situation when the code enforcement officer was investigating a violation. The homeowner continuously ignored him until he informed them of the fine. They promptly took care of the property.

Beckki would take the suggestions from the meeting and refine the ordinance. The TC decided to discuss it again at the next meeting.

Mayor Sorensen motioned to table Ordinance 2025-7-17 Nuisance Ordinance. TCM Powell seconded the motion. All votes ayes. Motion passed.

Department Updates

Mayor Richard Sorensen- The Fall festival was well attended. Chandlyr Shupe and her team were planning more events.

Councilmember Lewis Johnson – The Green Waste Facility would only be open one more Saturday but if residents need their leaves taken care of he is willing to open it up on a case by case basis. They would need to contact him.

Councilmember Bruce Ahlstrom- He was impressed at how many loads of dirt the new cemetery was receiving.

A descendant of the Aldous family wanted to donate to help repair the cabin. The History Center will need help on Tuesday night to finish moving the rest of their stuff to the new Town Hall. Posts are in for the new stop signs on 200 S. at 7500 E. He showed some drawings of the intersection (**Attachment #7**) with added landscaping on the west side to narrow the road and slow down drivers.

Councilmember Sandy Hunter- McKay Meadows owner Steve Starks wanted to do a boundary line adjustment to make 4 lots on the 35 acres. He's looking at doing a development agreement. One lot is kind of a flag lot, but it's a unique situation with the wetlands and with only 4 homes being built on the entire property. He will approach the Town Council about the agreement.

She spoke with the women on the Events Committee that were interested in forming a 501c3 to get money for town events. She explained to them that the 501 c3 that the Vision Committee was applying for could be used for both. Mayor Sorensen stated that it wouldn't be good to have competing 501c3s in town.

Councilmember Artie Powell- He pointed out that the bathrooms in the park were closed for the fall festival and the water had been turned off. He noted that for the festival next year they need to coordinate that better.

He attended a Weber Abatement event recently and felt that it was a well-run organization. As part of the event, they had an Open Meeting Act training. He learned that they need to be very careful and consistent about how they apply ordinances and how the counsel handles communication to the town. He wrote a policy to help the town be consistent and objective.

TCM Powell motioned to adjourn the meeting. TCM Ahlstrom seconded the motion. All votes ayes. Motion passed.

Meeting adjourned at 7:50 PM



Nikki Wolthuis, Deputy Clerk

MINUTES OF THE HUNTSVILLE TOWN COUNCIL MEETING**Thursday, October 16, 2025, 6:00 p.m.****Huntsville Town Hall, 7474 E. 200 South, Huntsville**

Name	Title	Status
Richard L. Sorensen	Mayor	Zoom
Bruce Ahlstrom	Council Member	Present
Sandy Hunter	Council Member	Present
Lewis Johnson	Council Member	Present
Artie Powell	Council Member	Present
William Morris	Legal Counsel	Excused
Nikki Wolthuis	Clerk	Present
Beckki Endicott	Clerk	Present

Citizens: Blaine Vernon, Chris Tremea1 Mayor Richard Sorensen called the meeting to order.

There is a full quorum present.

2-Pledge of Allegiance led by: Chris Tremea3-Opening Ceremony given by: Lewis Johnson

4-Public Comments : Blaine Vernon, Huntsville Maintenance Supervisor gave a report on maintenance issues in the town. Blaine had talked to the mountain Arts and Music in town and they wondered if there could be a UTA bus stop here for Snowbasin. It would bring people into town which would be good for business. He reported a case of bird flu in the park. The DWR took care of it. He had been working on a system to submit work orders. They are installing mag locks in the park bathrooms so it didn't have to be done manually. Secondary water would be shut off Monday.

5.Sheriff's Report No report6.Report: Chris Tremea, Huntsville Town Code Enforcement Officer

Chris gave a report on code enforcement within the town. He had been having good conversations with people and had made a lot of progress. He asked the TC to make the code less vague and easier to be interpreted by each person. He wanted Huntsville Town to decide on their agriculture regulations. For example, if the Town didn't want roosters then they need to put in the code that roosters are not allowed. Up to that point, he had spent 45 hours working on code enforcement. He expressed a desire that complainants contact him directly rather than go through the office staff or town council. The next thing he would like the town council to consider was parking in the right of way.

7. Discussion and/or action on approval of Minutes for Town Council Meeting October 2, 2025 (See Attachment #1)

TCM Ahlstrom corrected his vote on Brent Ahlstrom as PC Alternate. He had abstained on that vote and it was incorrectly marked that he had voted.

TCM Bruce Ahlstrom motioned to approve the amended Minutes for Town Council Meeting October 2, 2025. TCM Hunter seconded the motion. All votes Ayes. Motion passed.

8. Discussion and/or action on approval of 4-Way Stop at the intersection of 7500 E. and 200 S.

The TC discussed the fact that some people had near misses at this intersection and perhaps they should make into a 4-way stop. TCM Sandy Hunter said it would slow people down who were driving too fast on 200 S.

Mayor Sorensen motioned to approve a 4-way stop at 7500 E. 200 S. TCM Ahlstrom seconded the motion. All votes Ayes. Motion passed.

9. Discussion on Hunting within Huntsville Town Boundaries.

Mayor Sorensen explained that someone had recently shot a deer with a bow and arrow on private property in Town. The DWR and the sheriff responded to the incident and it was discovered that the deer was shot legally on Forest Service property and traveled to private property before it passed away. The TC discussed the hunting regulations and whether they could adjust them for Huntsville Town. They discussed the difficulty of hunters being able to shoot so close to homes (600 feet). Over the years it had been a conflict and at one-point former mayor Jim Truett lobbied the state to make changes to the regulation with no success. There was a suggestion that they contact the local representative Jason Kyle to help lobby again.

10. Discussion and/or action on approval of Ordinance 2025-7-17 Nuisance Ordinance. (See attachment #2)

Beckki spoke about the changes she had made to the code. She had put the noise section in the appropriate zones, took out references to state codes to simplify it and eliminated TCM Ahlstrom's agricultural section. Beckki suggested the TC read Marriott-Slaterville's code on "Agricultural in the community" to see if Huntsville could adopt something like that. The TC discussed having a work session before the next meeting to discuss the ordinance.

Mayor Sorensen motioned to table Ordinance 2025-7-17 Nuisance Ordinance. TCM Ahlstrom seconded the motion. All votes ayes. Motion passed.

Department Updates

Mayor Richard Sorensen-Nothing

Councilmember Sandy Hunter-Nothing

Councilmember Artie Powell- spoke about bids for tree stump removal in the park. He suggested an extra meeting on the following Monday to vote on the bids so the work could be done ASAP.

He spoke about the broken slide in the park. At first he wondered if the slides could be repaired but he found that a company does not want to repair a slide they did not make. He learned that playground equipment had a 25-year life span. They were looking into having the entire playground redesigned. Members of the events committee in town were interested in helping raise funds for new equipment. He also suggested they get the drain field in the park fixed in the spring.

Beckki and TCM Powell spoke about the 501c3 idea by the events committee. Because Huntsville Town is a municipality they cannot be a 501 c3. There must be a public purpose when funds are donated. It must be led by private citizens but a seat on their board should be a Town Councilmember.

Councilmember Bruce Ahlstrom- Nothing

Councilmember Lewis Johnson – Nothing

Mayor Sorensen motioned to adjourn the meeting. TCM Ahlstrom seconded the motion. All votes ayes. Motion passed.

Meeting adjourned at 6:33 PM

Nikki Wolthuis, Deputy Clerk

MINUTES OF THE HUNTSVILLE TOWN COUNCIL MEETING

Monday, October 20, 2025, 10:00 a.m.

Huntsville Town Hall, 7474 E. 200 South, Huntsville

Name	Title	Status
Richard L. Sorensen	Mayor	Zoom
Bruce Ahlstrom	Council Member	Present
Sandy Hunter	Council Member	Present
Lewis Johnson	Council Member	Present
Artie Powell	Council Member	Present
William Morris	Legal Counsel	Excused
Beckki Endicott	Clerk	Present

Zoom: Mayor Sorensen

1 Mayor Richard Sorensen called the meeting to order.

There is a full quorum present.

2. Discussion and/or action on approval of up to \$15,000 for tree stump removal (See attachment #1)

Mayor Sorensen turned the time to TCM Powell to lead the tree discussion. He explained that the stump removal bids ranged from \$12,000 to \$18,000. Jake Songer, town resident and tree expert, had recommended postponing the removal until next year when the ground was more firm. The TC considered either proceeding with removal now or postponing it until next year. Mayor Sorensen confirmed that they had \$12,000 in the budget for this purpose. It was noted that while Kenton Peterson, who cut the trees down initially, wanted to leave the stumps as seating areas, the number grew to 30, making it impractical. The group debated whether to proceed with removal in 2025 or wait until spring 2026, with Artie suggesting the latter might be more cost-effective. He stated that the Ogden Valley Parks District bills are submitted quarterly, with the second quarter payment still pending, and there's uncertainty about park management in 2026 due to potential Ogden Valley City takeover.

They also discussed a new 501(c)(3) organization being formed to raise money for town events and projects, with concerns raised about the town's involvement in grant writing and funding decisions.

Additionally, they discussed the need to rewrite the town's tree board statute to improve communication and oversight between various parties.

TCM Ahlstrom motioned to move forward with the lowest bid, Arbormann, and to instruct them to get the stumps to ground level, be aware of wet ground and possible damage to areas, and to desist if needed. TCM Powell seconded the motion.

TCM Sandy Hunter Amended the motion to include designating a few stumps that might be useful and leave them.

TCM Powell made a second amendment to leave the two stumps at the playground. TCM Sandy Hunter seconded the motion. Roll Call Vote. Votes reflected below. Motion passed 5-0.

VOTES	AYE	NAY	ABSTAIN	EXCUSED
Mayor Richard L. Sorensen	X			
CM Bruce Ahlstrom	X			
CM Lewis Johnson	X			
CM Sandy Hunter	X			
CM Artie Powell	X			

Mayor Sorensen motioned to adjourn the meeting. TCM Ahlstrom seconded the motion. All votes ayes. Motion passed.

Meeting adjourned at 10:42 AM

Nikki Wolthuis, Deputy Clerk

**HUNTSVILLE TOWN
ORDINANCE 2025-7-17**

ADMINISTRATIVE PROCEEDINGS AND NUISANCES

AN ORDINANCE OF THE TOWN OF HUNTSVILLE, UTAH, ADOPTING CHAPTER 2.14 OF THE HUNTSVILLE TOWN MUNICIPAL CODE ENTITLED “ADMINISTRATIVE PROCEEDINGS” TO COMPLY WITH STATE LAW; REPEALING CHAPTER 2 OF THE HUNTSVILLE TOWN MUNICIPAL CODE TITLED “NUISANCE” TO COMPLY WITH THE HUNTSVILLE TOWN RECODIFICATION TEMPLATE; ADOPTING CHAPTER 8.04 OF THE HUNTSVILLE TOWN MUNICIPAL CODE ENTITLED “INSPECTION AND CLEANING” TO COMPLY WITH STATE LAW; PROVIDING SEVERABILITY; AND EFFECTIVE DATE.

WHEREAS, Huntsville Town (hereafter the “Town”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §10-8-84 and §10-8-60 allow municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the Town;

WHEREAS, Title 10, Chapter 11, of the *Utah Code Annotated*, as amended, governing “Inspection and Cleaning” enables municipalities to remove and abate certain nuisances and requires “Administrative Proceedings” in certain circumstances in order for effective enforcement;

WHEREAS, the Town finds it necessary to update the Municipal Code to comply with multiple changes in state law, and to protect public health, safety, and welfare;

WHEREAS, the Town finds it necessary to update the numbering of the nuisance code, moving the current nuisance code from Chapter two (2) and establishing a “Health and Safety” chapter including garbage, fire, water and nuisance as Chapter eight (8).

NOW, THEREFORE, be it ordained by the Town Council as follows:

Section 1: Repealer. Any ordinance or portion of the municipal code inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: Amendment. Chapter 2 of the *Huntsville Town Municipal Code* is hereby repealed, and Chapter 2.14 is enacted to read as follows;

Section 3: Chapter 8.06 of the *Huntsville Town Municipal Code* is hereby enacted to read as follows:

**Chapter 2.14
Administrative Proceedings**

Sections:

- 02.14.010 Administrative Proceedings.**
- 02.14.020 Hearing Officer.**
- 02.14.030 Procedure.**
- 02.14.040 Non-judicial Penalty.**
- 02.14.050 Penalties from State Law.**

02.14.010 Administrative Proceedings.

In accordance with Utah Code §10-3-703.7, the Town hereby adopts this Chapter to establish an administrative proceeding to review and decide one or more civil violations of the Municipal Code.

02.14.020 Hearing Officer.

The mayor with the advice and consent of the Town Council may designate one (1) or more persons duly licensed and in good standing with the Utah State Bar as a Hearing Officer under this Chapter.

02.14.030 Procedure.

1. Authority. The Hearing Officer shall hear and decide cases arising from Chapter 8.04, and any other state law or municipal code where the Town is subject to the administrative proceeding specified in this Chapter.
2. Due Process. The Town shall provide due process for parties participating in the administrative proceedings by providing written notice of the date, time, place, and subject of the administrative hearing to the address of record for the property owner(s) and/or occupant(s) at the Office of the Weber County Recorder and an opportunity to be heard before the hearing officer.
3. Appeal. Only any adversely affected person who has standing may make an appeal. Any appeal from the Municipal Inspector enforcing Chapter 8.04, or other applicable code(s), is to be made in writing filed with the Town Clerk/Recorder and directed to the Hearing Officer under this Chapter. Subsequent appeals or any court action after final decision of the Hearing Officer shall only be made in the Second District Court, State of Utah.
4. Review. The standard of review is based upon the preponderance of the evidence. Any appeal is limited to whether the Town made a significant error in its order, and the legal theories related to such errors or the impairment of due process, as such relate to specific code violation(s).

5. Hearing. An administrative hearing is conducted by the Hearing Officer informally. Rules of procedure and evidence are informally applied, and deference is afforded to the determinations of the Municipal Inspector.
6. Exhaustion. A party must exhaust all administrative remedies under this Chapter before appealing or bringing any action. An action shall only be brought in the Second District Court. The exhaustion requirement in this sub-section may be waived in writing by the Town Attorney. An argument that was not raised before the Hearing Officer shall not be raised on appeal before any Court, and the Court shall afford deference to the determinations of the Hearing Officer.

02.14.040 Non-judicial Penalty.

1. Limitations. In accordance with Utah Code §10-3-703.7(3)(a), the Town may not impose a nonjudicial penalty for a violation of a land use regulation or a nuisance code under Chapter 8.04, unless the Town provides to the individual who is subject to the penalty written notice that:
 - a. Identifies the relevant regulation or ordinance at issue;
 - b. Specifies the violation of the relevant regulation or ordinance; and
 - c. Provides for a reasonable time to cure the violation, taking into account the cost of curing the violation.
2. Pending. The Town may not collect on a nonjudicial penalty for a violation of a land use regulation or a nuisance code under Chapter 8.04 that is outstanding or pending on or after May 14, 2019, unless the Town imposed the outstanding or pending penalty in relation to a written notice that:
 - a. Identified the relevant regulation or ordinance at issue;
 - b. Specified the violation of the relevant regulation or ordinance; and
 - c. Provided for a reasonable time to cure the violation, taking into account the cost of curing the violation.
3. Violations. Based upon this Town adopting this Chapter establishing an administrative proceeding process for one (1) or more violation(s) of the Municipal Code in accordance with the requirements of Utah Code §10-3-703.7, the Town hereby adopts and imposes the following for each violation of an order issued under Utah Code §10-11-2(1)(c):
 - a. A civil penalty in accordance with Utah Code §10-3-703(2); or
 - b. In accordance with Utah Code §10-3-703(1), a criminal penalty, including by a fine not to exceed the maximum class B misdemeanor fine under Utah Code §76-3-301, by a term of imprisonment up to six (6) months, or by both the fine and term of imprisonment.
 - c. In accordance with Utah Code §10-11-2(1)(d), the Town shall provide one hundred eighty (180) days after the day on which the written notice from the Municipal Inspector for violations under Chapter 8.04 is delivered in person or the date the notice is post-marked for the recipient of the notice to:
 - i. Abate the hazardous materials; or
 - ii. Appeal the notice and begin the administrative proceeding process.

02.14.050 Penalties from State Law.

1. Criminal. In accordance with Utah Code §10-3-703, the Town hereby imposes a criminal penalty for each violation of the Municipal Code involving enforcement actions initiated by the Town which shall be a fine not to exceed the maximum class B misdemeanor fine under Utah Code §76-3-301, by a term of imprisonment up to six (6) months, or by both the fine and term of imprisonment.
 - a. The Town may not impose a criminal penalty greater than an infraction for a violation pertaining to an individual's pet, as defined in Utah Code §4-12-102, or an individual's use of the individual's residence unless, the violation:
 - i. Is a nuisance as defined in Utah Code §78B-6-1101(1); and
 - ii. Threatens the health, safety, or welfare of the individual or an identifiable third party; or
 - iii. The Town has imposed a fine on the individual for a violation that involves the same residence or pet on three (3) previous occasions within the past twelve (12) months.
 - b. Utah Code §10-3-703(1)(b) does not apply to enforcement of a building code or fire code violation in accordance with Title 15A, State Construction and Fire Codes Act.
2. Civil. Except as provided in Utah Code §10-3-703(2)(b), the Town hereby prescribes a civil penalty for each violation of the Municipal Code involving enforcement actions initiated by the Town by a fine not to exceed the maximum class B misdemeanor fine under Utah Code §76-3-301. The Town may not impose a civil penalty or adjudication for the violation of a moving traffic violation.
3. Issuance. Except as provided in Utah Code §10-3-703(3)(b) or Utah Code §77-7-18, a municipal officer or official who is not a law enforcement officer described in Utah Code §53-13-103, or a special function officer described in Utah Code §53-13-105 may not issue a criminal citation for a violation that is punished as a misdemeanor. Notwithstanding Utah Code §10-3-703 (1) or (3)(a), the following may issue a criminal citation for a violation that is punished as a misdemeanor if the violation threatens the health and safety of an animal or the public:
 - a. A fire officer described in Utah Code §53-7-201; or
 - b. An animal control officer described in Utah Code §11-46-102.
4. Limitations. The Town may not issue more than one (1) infraction within a fourteen (14) calendar daytime period for a violation described in Utah Code §10-3-703(1)(b) that is ongoing.

Chapter 8.04 Inspection and Cleaning

Sections:

- 08.04.010 Nuisance and Abatement.**
- 08.04.020 Inspection and Notice.**
- 08.04.030 Abatement Procedure.**
- 08.04.040 Cost Recovery.**

08.04.050 Non-exclusive Remedy.

08.04.060 Penalty.

08.04.010 Nuisance and Abatement.

1. Applicability. In accordance with Utah Code §10-11-4(8), this Chapter does not apply to any public building, public structure, or public improvement.
2. Nuisance. A public nuisance is a crime against the order and economy of the Town and consists in unlawfully doing any act or omitting to perform any duty, which act or omission either:
 - a. Health and Safety. Annoys, injures, or endangers, the comfort, repose, health, or safety of the public.
 - b. Obstructions. Unlawfully interferes with, obstructs, or tends to obstruct or renders dangers for passage, any lake, stream, canal, ditch, or basin, or any public park, square, street or highway.
 - c. Security. In any way renders residents insecure in life or the use of their property.
 - d. Garbage. Household waste, food waste, all animal and vegetable refuse from kitchens or residences, hotels, cafes, restaurants and places where food is prepared for human consumption, including all animal and vegetable refuse from such kitchens, the materials in which such food products are packaged, and also all condemned, or decayed or unsound vegetables, meats, fish, fruit and all waste and offal therefrom markets, stores and factories and any other manner of refuse, rubbish, rotting hay, or trash which in and of itself has no value.
 - e. Junk. All discarded metals, scrap metals, iron, glass, paper, wood, building materials, plastics, fiberglass which may have value second hand but not in its present condition, unused or discarded bicycles, tricycles or other recreational vehicles or parts therefore, waste paper products, unused or discarded building materials, machinery or machinery parts, lumber, accumulations of dirt, gravel, ashes, or fire remains, or any inoperable or abandoned vehicles, parts, or any other waste materials.
 - f. Inoperable or Abandoned Vehicle. Includes any trailer, semi-trailer or motor vehicle not currently registered and licensed in this state or another state, that cannot be operated in its existing condition because the parts necessary for operation such as, but not limited to, tires, windshield, engine, drive train, driver's seat, steering wheel or column, gas or brake pedals are removed, destroyed, damaged, deteriorated, or nonconforming.
 - g. Public nuisance animal. Any animal which violates the provisions of this Title as defined or the title on Nuisance Generally and:

- i. i. causes damage to the property of anyone other than its owner;
 - ii. ii. Causes unreasonable odors; Causes unsanitary conditions, either for the animal(s) or person(s) living nearby;
 - iii. iii. Is a potentially dangerous or vicious animal as defined in the Animal Control Title;
 - iv. iv. Every dog or animal which by barking, howling or making other noises disturbs or disrupts the peace and quiet of more than three persons, or in the case of disturbing one or more persons is documented by an Animal Control or Huntsville Town Law Enforcement Officer on at least three separate occasions or for an extended period of time;
 - v. v. Regularly chases vehicles;
 - vi. vi. Regularly chases other animals.
- h. Noxious Weeds. Any plant the Utah Commissioner of Agriculture determines to be especially injurious to public health, crops, livestock, land or other property.
- h. Noise. To make, continue or cause to be made or continued any loud, continuous or excessive noise or any noise which endangers the health, safety or welfare of the community, or which annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within Huntsville Town. Permits shall be available for special events that specify the dates and hours of the permitted activities, which shall not be allowed between the hours of 10:00 P.M. and 8:00 A.M., unless the responsible Town official determines that it is in the best interest of the community that the activities take place, wholly or partially, during such hours. Commercial establishments that hold regularly scheduled entertainment may obtain a yearly permit. This title does not apply to bells or chimes at places of worship; to the playing of bands or orchestras in a hall or building in a manner that will not annoy the peace, comfort and quiet of the neighboring inhabitants; to municipal, county, state or federal government agencies in connection with any emergency; to normal working activities of or activities sponsored by the governing body; to warning devices on authorized emergency vehicles; or to horns or other warning devices on other vehicles used only for traffic safety purposes. The following acts, among others, are declared to be loud, disturbing, excessive or continuous noises, and a danger to the health, safety and welfare of the community, in violation of this ordinance, but the enumeration shall not be deemed to be exclusive:
 - i. Continual use of horns, whistles, bells and signaling devices, except a danger warning.
 - ii. Radios, televisions, musical instruments and other machines, players or devices of any type or technology, using any type of media, used for the creation of

any music or sound. The use or operation of any of the foregoing devices, with or without amplification, in such a manner as to disturb the peace, quiet and comfort of the neighboring inhabitants, or at any time with louder volume than is necessary for convenient hearing for the person or persons who are in the room, vehicle, chamber or premises in or at which such machine or device is operated and who are voluntary listeners thereto. The operation of any such set, instrument, machine, device or player between the hours of 10:00 p.m. and 8:00 a.m. in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which or land on which it is located, shall be prima facie evidence of a violation of this section.

- iii. Commercial loudspeakers, amplifiers, etc. The using, operating or permitting to be played, used or operated of any radio receiving set, musical instrument, loudspeaker, sound amplifier, or any other machine, player or device of any type or technology for the producing or reproducing of sound which is audible upon the public streets for the purpose of commercial advertising, except as permitted by Huntsville Town.
- iv. People noises. Yelling, shouting, whistling, singing or conducting unnecessarily loud or annoying vocal utterances at any time or place, so as unreasonably to annoy or disturb the quiet, comfort or repose of any person in any hospital, residential medical facility, school, place of worship, place of business or dwelling, hotel or other type of residence, or of any person in the vicinity.
- v. Animals, including but not limited to birds and dogs. The keeping of any animal, including but not limited to any bird or dog, which, by causing frequent or long continued noise, shall disturb the comfort or repose of any persons in the vicinity. For purposes of this subsection, a dog barking continually for ten (10) minutes or intermittently for thirty (30) minutes, unless provoked, and plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which or land on which it is located, shall be prima facie evidence of a violation of this section.
- vi. Exhausts. The discharge into the open air of the exhaust of any steam engine, stationary jet or internal combustion engine or motor vehicle, except through a properly functioning muffler or other device which will effectively prevent loud or explosive noises therefrom.
- vi. Overloaded, improperly operated vehicles. The use of any automobile, motorcycle, truck or vehicle so out of repair, or so loaded or operated in such a manner as to create loud and unnecessary grating, grinding, rattling or other loud or disturbing noise.

- vii. Construction work. The excavation, grading, paving, erection, demolition, alteration or repair of any premises, street, building or structure at any time other than between the hours of 8:00 A.M. and 6:00 P.M. on Sundays, or between the hours of 7:00 A.M. and 9:00 P.M. on all other days, except in case of urgent necessity in the interest of public health and safety. Notwithstanding the foregoing, if the Mayor or his/her designated official shall determine that the public health and safety will not be impaired by such work within the prohibited hours, and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done within the prohibited hours, upon application being made at the time the permit for the work is issued or during the progress of the work. The provisions of this subsection shall not apply to interior or exterior repairs or to interior alterations, the work for which is actually performed personally by a homeowner or other occupant or tenant between the hours of 8:00 A.M. and 10:00 P.M., provided, that the work shall be done without undue noise or disturbance of the peace and quiet of the nearby residences or of the neighborhood.
- viii. Blowers, fans or engines. The operation of any noise-creating blower (including but not limited to leaf blowers) or power fan, or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from such blower, fan or combustion engine is adequately muffled and such engine is equipped with a muffler device sufficient to deaden such noises. In addition, the operation or use of any of such equipment between the hours of 10:00 P.M. and 8:00 A.M., shall not be permitted; except that the use of any snow blower shall not be prohibited during these times when used to clear sidewalks, walkways or driveways following a snow storm, nor shall the use of any portable generator be prohibited during these times when used during a power outage caused by a storm or other natural disaster.
- ix. Lawnmowers or chain saws. The operation or use of any power lawnmower or chain saw between the hours of 10:00 P.M. and 8:00 A.M.

10. Yards and Landscaping. Results in the accumulation of excessive vegetation or yard waste on property, including but not limited to, vegetation or landscaping to be un-watered or unmaintained so that it becomes dry or combustible. The failure to properly mow or cut of any lawn with grass and/or weeds growing in excess of six (6) inches in height. This chapter does not apply to bona fide agricultural uses, roadways, or federal or state lands.”

- 3. B. An act which affects the public in any of the ways specified in this section is still a nuisance regardless if the extent of annoyance or damage inflicted on individuals is unequal.

4. Abatement. Any nuisance specified in this Section is subject to abatement at the direction of the Municipal Inspector as provided in this Chapter.
5. Municipal Inspector. In accordance with Utah Code §10-11-1, the mayor with the advice and consent of the Town Council shall appoint a Municipal Inspector for the purpose of carrying out and in accordance with the provisions of this Chapter.
6. Limitations. Huntsville Town shall not:
 - a. Prohibit an owner or occupant of real property within the Town from selecting a person to provide an abatement service for injurious and noxious weeds, garbage and refuse, a public nuisance, or an illegal object or structure.
 - b. Require that an owner or occupant use the services of the Municipal Inspector or any assistance employed by the Municipal Inspector to provide an abatement service.
7. Requirements. Huntsville Town may require an owner or occupant to:
 - a. Use the abatement services of the Municipal Inspector, including the use of a certified decontamination specialist as described in Utah Code §19-6-906, or any assistance employed by the Municipal Inspector if:
 - i. The Municipal Inspector provides notice to abate within a reasonable period of time of at least ten (10) days to the owner(s) or occupant(s) of the subject property as described in Utah Code §10-11-2; and
 - ii. The owner(s) or occupant(s) fail to abate the nuisances on the subject property within the ten (10) day reasonable period of time and in accordance with the notice.
 - b. The Town may require that an owner or occupant use the abatement services of a certified decontamination specialist to abate hazardous materials.
 - c. Nothing in the state law or this Chapter may be construed:
 - i. As authorizing the Town to regulate items that are within the exclusive jurisdiction of the Department of Agriculture and Food as provided in Utah Code §4-2-305, including commercial feed, fertilizer, pesticides, and seeds; or
 - ii. As limiting or abrogating the authority of a local health department under Utah Code §19-6-905.
8. Liability. The owner(s) and/or occupant(s) are liable for any damage, injury, or death that may result from a nuisance on their property.

08.04.020 Inspection and Notice.

1. Duties. In accordance with Utah Code §10-11-2, the Municipal Inspector is authorized and directed to:
 - a. Examine and investigate real property for nuisances
 - b. Issue an order restricting access to a structure and real property surrounding the structure while the Municipal Inspector or a certified decontamination specialist abates hazardous materials within the structure.
2. Limitations. The Municipal Inspector cannot abate conditions solely associated with the interior of a structure, unless required:

- a. For the demolition and removal of the structure; or
 - b. To eliminate or remove hazardous materials within a structure that has been closed to occupancy or entry by a local health department or fire department.
- 3. Notice. Where the Municipal Inspector conducts an examination and investigation and determines a violation or nuisance exists, the Municipal Inspector shall deliver written notice of the examination and investigation in accordance with Utah Code §10-11-2(2).
 - a. The Municipal Inspector shall serve written notice to a property owner of record according to the records of the county recorder
 - b. The Municipal Inspector may serve written notice to a non-owner occupant of the property or another person responsible for the property who is not the owner of record, including a manager or agent of the owner, if the property owner is not an occupant of the property.
 - c. The Municipal Inspector may serve the written notice:
 - i. In person or by mail to the property owner of record if mailed to the last-known address of the owner according to the records of the county recorder; or
 - ii. In person or by mail to a non-owner occupant or another person responsible for the property who is not the owner of record if mailed to the property address.
- 4. Notice Contents. In the written notice the Municipal Inspector shall:
 - a. Identify the property owner of record according to the records of the county recorder;
 - b. Describe the property and the nature and results of the examination and investigation conducted
 - c. Identify the relevant code violation at issue and describe the violation citing the specific code;
 - d. Describe each order, fine, or penalty that may be imposed;
 - e. Special requirements for involving a structure or real property closed to occupancy:
 - i. For a structure or any real property closed to occupancy or entry by a local health department because of hazardous materials, explain the right of a property owner, occupant, or, if applicable, another person responsible for the property to abate the hazardous materials or appeal the notice within one-hundred eighty (180) days after the day on which notice is delivered in person or the date the notice is post-marked; and
 - ii. Require the property owner, occupant, or, if applicable, another person responsible for the property to:
 - 1. Eradicate or destroy and remove any identified item examined and investigated under Utah Code §10-11-2(1)(a); and
 - 2. Comply with Utah Code §10-11-2(2)(c)(vi)(A) in a time period designated by the Municipal Inspector but no less than ten (10) days after the day on which notice is delivered in person or post-marked, or for a notice related to hazardous materials, no less than one-hundred eighty (180) days after the day on which notice is delivered in person or post-marked.

- iii. For a structure or any real property closed to occupancy or entry by a local health department because of hazardous materials, unless an order issued by a court of competent jurisdiction states otherwise, Huntsville Town may not impose a fine or penalty on a property owner, occupant, or another person responsible for the structure or real property, and may not authorize a Municipal Inspector or a certified decontamination specialist to begin abatement of the hazardous materials, until:
 - 1. The appeal and administrative proceeding process is completed; or
 - 2. The property owner, occupant, or another person responsible for the property has missed the deadline for filing the appeal.
 - f. For a notice of injurious and noxious weeds, the Municipal Inspector is not required to make more than one (1) notice for each annual season of weed growth for weeds growing on a property.

08.04.030 Abatement Procedure.

- 1. Administrative Proceedings. The procedure for administrative proceedings in Chapter 02.14 applies to this Chapter as specified in state law and implemented by the Municipal Code.
- 2. Failure to Comply. If an owner of, occupant of, or other person responsible for real property described in the notice delivered the Municipal Inspector may:
 - a. At the expense of the Town, employ necessary assistance to enter the property and destroy, remove, or abate one or more items or conditions identified in a written notice and
 - b. Prepare an itemized statement in accordance with Utah Code §10-11-3(1)(b); and
 - c. Mail to the owner of record according to the records of the Weber County Recorder a copy of the statement demanding payment within 30 days after the day on which the statement is post-marked.
- 3. Itemized Statement. The itemized statement shall include:
 - a. The address of the property;
 - b. An itemized list of and demand for payment for all expenses, including administrative expenses, incurred by the Town under; and
 - c. The address of the Town Treasurer where payment may be made for the expenses; and
 - d. Notify the property owner:
 - i. That failure to pay the expenses described in Utah Code §10-11-3(1)(b)(i)(B) may result in a lien on the property in accordance with Utah Code §10-11-4;
 - ii. That the owner may file a written objection to all or part of the statement within twenty (20) days after the day of the statement post-mark; and
 - iii. That the owner may file the objection with the Town Clerk/Recorder, including the address.
 - e. A statement mailed is delivered when mailed by certified mail addressed to the property owners of record of the last-known address according to the records of the Weber County Recorder.

4. Lien. The Town may file a notice of a lien, including a copy of the statement described in Utah Code §10-11-3(1)(a)(ii)(A), or a summary of the statement in the records of the Weber County Recorder.
 - a. If the Town files a notice of a lien indicating that the Town intends to certify the unpaid costs and expenses, the Town shall file for record in the Weber County Recorder's office a release of the lien after all amounts owing are paid.
 - b. If an owner fails to file a timely written, or to pay the amount set forth in the statement, the Town may:
 - i. File an action in a court with jurisdiction under Title 78A, Judiciary and Judicial Administration; or
 - ii. Certify the past due costs and expenses to the county treasurer in accordance with Utah Code §10-11-4.
5. Collection. If the Town pursues collection of the costs in accordance with Utah Code §10-11-3(2)(a)(i) or (4)(a), the Town may:
 - a. Sue for and receive judgment for all removal and destruction costs, including administrative costs, and reasonable attorney fees, interest, and court costs; and
 - b. Execute on the judgment in the manner provided by law.
6. Objection. If a property owner files an objection the Town shall:
 - a. Hold a hearing in accordance with Title 52, Chapter 4, Open and Public Meetings Act; and
 - b. Mail or deliver notice of the hearing date and time to the property owner.
7. Hearing. At the hearing
 - a. The Town shall review and determine the actual cost of abatement
 - b. The property owner shall pay any actual cost due after a decision by the Town at the hearing to the Town Treasurer within thirty (30) days after the day on which the hearing is held.
8. Failure to Pay. If the property owner fails to pay, the Town may:
 - a. File an action in a court with jurisdiction under Title 78A, Judiciary and Judicial Administration, for the actual cost determined under Subsection (3)(b); or
 - b. Certify the past due costs and expenses to the county treasurer in accordance with Utah Code §10-11-4.
9. Reservations. The state law section does not affect or limit:
 - a. The Town Council's power to pass an ordinance as described in Utah Code §10-3-702; or
 - b. A criminal or civil penalty imposed by a municipality in accordance with Utah Code §10-3-703.

08.04.040 Cost Recovery.

In accordance with Utah Code §10-11-4, the Town may recover the cost of removal and abatement as part of the tax notice.

08.04.050 Non-exclusive Remedy.

This Chapter shall not be construed to exclude any other remedy provided by law or equity.

08.04.060 Penalty.

In accordance with Utah Code §10-3-703, and subject to any Administrative Proceedings, the following penalties apply:

1. Criminal. Any person who violates this Chapter is guilty of a class B misdemeanor and a fine not to exceed \$1,000.
2. Civil. Any person who violates this Chapter is subject to a civil fine not to exceed \$1,000, per day that the violation continues.

Section 3: Repealer. Chapter 2 is hereby repealed in its entirety.

Section 4: Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

Section 5: Effective date. This Ordinance takes effect immediately upon adoption and posting.

PASSED AND ADOPTED by the Town Council on this.

Mayor

ATTEST:

Town Clerk/Recorder

RECORDED this 2025.

PUBLISHED OR POSTED this ____ day of _____, 20__.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the Town Clerk of Huntsville Town, hereby certify that foregoing ordinance was duly passed, published and/or posted as required by State Law.

Town Clerk

DATE: _____

08.04.040 Cost Recovery.

08.04.050 Non-exclusive Remedy.

08.04.060 Penalty.

08.04.010 Nuisance and Abatement.

1. Applicability. In accordance with Utah Code §10-11-4(8), this Chapter does not apply to any public building, public structure, or public improvement.
2. Nuisance (Definition). A public nuisance is a crime against the order and economy of the Town and consists in unlawfully doing any act or omitting to perform any duty, which act or omission- either:
 - a. Health and Safety. ~~Annoys, injures, or endangers, the comfort, repose, health, or safety of members of the public;~~
 - b. Obstructions. ~~Unlawfully interferes with, obstructs, or tends to obstruct or renders dangerous for passage, any lake, stream, canal, ditch, or basin, or any public alleyway, public park, square, street, or highway; or~~
 - c. Security. ~~In any way renders residents insecure in their lives or the use of their property.~~
3. Nuisance (Examples). A nuisance may include, but is not limited to:
 - a. Garbage. ~~Includes waste materials subject to decay or decomposition that may create offensive odors, attract insects or rodents, or otherwise endanger public health or safety. This means all putrescible animal and vegetable wastes resulting from the handling, preparation, cooking, and consumption of food, and shall include all types of food containers, food scraps, trimmings, peelings, and refuse from households, kitchens, markets, or food establishments. Household waste, food waste, all animal and vegetable refuse from kitchens or residences, hotels, cafes, restaurants and places where food is prepared for human consumption, including all animal and vegetable refuse from such kitchens, the materials in which such food products are packaged, and also all condemned, or decayed or unsound vegetables, meats, fish, fruit and all waste an offal therefrom markets, stores and factories and any other manner of refuse, rubbish, rotting hay, or trash which in and of itself has no value.~~
 - b. Junk. ~~Junk means any discarded, dismantled, worn-out, or unusable materials or items that are no longer used for their original purpose and that may be stored, accumulated, or left in public view. The term includes, but is not limited to, old or abandoned motor vehicles or parts thereof; machinery; appliances; furniture; scrap metal; lumber; tires; batteries; containers; or any similar materials that are deteriorated, broken, or inoperative. Items kept for repair, restoration, or resale may be considered junk~~

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unless stored in a fully enclosed building or otherwise maintained in a neat and orderly manner that does not create a nuisance or safety hazard.

c. All discarded metals, scrap metals, iron, glass, paper, wood, building materials, plastics, fiberglass which may have value second hand but not in its present condition, unused or discarded bicycles, tricycles or other recreational vehicles or parts therefore, waste paper products, unused or discarded building materials, machinery or machinery parts, lumber, accumulations of dirt, gravel, ashes, or fire remains, or any inoperable or abandoned vehicles, parts, or any other waste materials.

d. Inoperable or Abandoned Vehicle. Includes any trailer, semi-trailer or motor vehicle not currently registered and licensed in this state or another state, that cannot be operated in its existing condition because the parts necessary for operation such as, but not limited to, tires, windshield, engine, drive train, driver's seat, steering wheel or column, gas or brake pedals are removed, destroyed, damaged, deteriorated, or nonconforming.

e. Public nuisance animal. Any animal which violates the provisions of this Title as defined or the title on Nuisance Generally and:

- i. i. causes damage to the property of anyone other than its owner;
- ii. ii. Causes unreasonable odors; Causes unsanitary conditions, either for the animal(s) or person(s) living nearby;
- iii. iii. Is a potentially dangerous or vicious animal as defined in the Animal Control Title;
- iv. iv. Every dog or animal which by barking, howling or making other noises disturbs or disrupts the peace and quiet of more than three persons, or in the case of disturbing one or more persons is documented by an Animal Control or Huntsville Town Law Enforcement Officer on at least three separate occasions or for an extended period of time;
- v. v. Regularly chases vehicles;
- vi. vi. Regularly chases other animals.

h. Noxious Weeds. Any plant the Utah Commissioner of Agriculture determines to be especially injurious to public health, crops, livestock, land, or other property.

f. Noise. To make, continue or cause to be made or continued any loud, continuous or excessive noise or any noise which endangers the health, safety or welfare of the community, or which annoys, disturbs, injures or endangers the comfort, repose, health, peace or safety of others within Huntsville Town. Permits shall be available for special events that specify the dates and hours of the permitted activities, which shall not be allowed between the hours of 10:00 P.M. and 8:00 A.M., unless the responsible Town official determines that it is in the best interest

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Commented [BE1]: I would recommend moving anything that has to do with animals be moved to our animals title. Currently our Animal contract is with the county and they should be doing the enforcement for these kinds of issues.

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Commented [BE2]: Please reconsider the noise statue. I would recommend that these be moved to the zone chapters which would list noise as a condition. If not, please simplify. Noise is very difficult to enforce.

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Conditional Uses (listed in each zone)

The following uses shall be permitted only in the R-1 (and others) zone only after issuance of a Conditional Use Permit.

1. Noise –

- a. Amplified sound on the parcel with the exception for emergency circumstances. No generators after 10 p.m. Quiet hours are 10 p.m. to 8 a.m.
- b. Continuous or excessive noise or any noise which endangers the health, safety or welfare of the community, or which disturbs, injures or endangers the comfort, repose, health, peace or safety of others within Huntsville Town. This does not apply to bells or chimes at places of worship; to the playing of bands or orchestras in a hall or building in a manner that will not annoy the peace, comfort and quiet of the neighboring inhabitants; to municipal, county, state or federal government agencies in connection with any emergency; to normal working activities of or activities sponsored by the governing body; to warning devices on authorized emergency vehicles; or to horns or other warning devices on other vehicles used only for traffic safety purposes. **(This extra paragraph from Bruce should be added for the A-3 zone.) This excludes agricultural operations and those agricultural operations which are conducted in the normal and ordinary course of agricultural operations or conducted in accordance with sound agricultural practices. "Agricultural operation" means the production of crops, orchards, livestock, poultry, bees, aquaculture, livestock products, or poultry products.**
- c. involves agricultural operations and those agricultural operations are conducted in the normal and ordinary course of agricultural operations or conducted in accordance with sound agricultural practices. "Agricultural operation" means the production of crops, orchards, livestock, poultry, bees, aquaculture, livestock products, or poultry products.
- d. The keeping of any animal, including but not limited to any bird or dog, which, by causing frequent or long continued noise, shall disturb the comfort or repose of any persons in the vicinity between the hours of 10 PM and dawn. This excludes roosters in keeping with the agricultural environment of Huntsville Town.
- e. Construction work. The excavation, grading, paving, erection, demolition, alteration or repair of any premises, street, building or structure at any time other than between the hours of 8:00 A.M. and 6:00 P.M. on Sundays, or between the hours of 7:00 A.M. and 9:00 P.M. on all other days, except in case of urgent necessity in the interest of public health and safety. Notwithstanding the foregoing, if the Mayor or his/her designated official shall determine that the public health and safety will not be impaired by such work within the prohibited hours, and if he shall further determine that loss or inconvenience would result to any party in interest, he may grant permission for such work to be done within the prohibited hours, upon application being made at the time the permit for the work is issued or during the progress of the work. The provisions of this subsection shall not apply to interior or exterior repairs or to interior alterations, the work for which is actually performed personally by a homeowner or other occupant or tenant between the hours of 8:00 A.M. and 10:00 P.M., provided, that the work shall be done without undue noise or disturbance of the peace and quiet of the nearby residences or of the neighborhood.

- f. Blowers, fans or engines. The operation of any noise-creating blower (including but not limited to leaf blowers) or power fan, or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, unless the noise from such blower, fan or combustion engine is adequately muffled and such engine is equipped with a muffler device sufficient to deaden such noises. In addition, the operation or use of any of such equipment between the hours of 10:00 P.M. and 8:00 A.M., shall not be permitted; except that the use of any snow blower shall not be prohibited during these times when used to clear sidewalks, walkways or driveways following a snow storm, nor shall the use of any generator be prohibited during these times when used during a power outage caused by a storm or other natural disaster.
- g. Lawnmowers or chain saws. The operation or use of any power lawnmower or chain saw between the hours of 10:00 P.M. and 8:00 A.M.

Re: TC Meeting Wednesday October 29th

From Bruce Ahlstrom <bahlstrom@huntsvilleutah.gov>

Date Tue 10/28/2025 6:57 PM

To Nikki Wolthuis <nwolthuis@huntsvilleutah.gov>; Town Council <tc@huntsvilletown.com>

Here are some thoughts about the Nuisance Ordinance we are considering tomorrow night.

Sometimes I need to step back and question what we do as elected officials. I try to go back to the basic principles of government as Jefferson explained in the Declaration of Independence. "that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed". As a town council member, do I help secure rights or take them away? Do I promote liberty, or take it away? I'm trying to follow that principle as I look at the nuisance ordinance which Beckki has put so much work into and I appreciate all she does. I believe we follow this principle when we protect rights in the area of health or safety. I feel we do not protect rights when trying to control the appearance of property.

Here are some suggested changes to the Nuisance Ordinance:

In 08.04.010 Nuisance and Abatement.

2. a. Delete the word annoys, as was suggested by Sandy.

Under b. end with "street, highway, or alleyway." I also have some questions about access to any lake, stream, canal, ditch, or basin,

I question d. and would take out e. and f.

I think g. is good.

I would eliminate h. Noxious Weeds. I don't think the town has a problem with that and I don't think we should be enforcing state law.

I like some of h. Noise, but should we be requiring residents to get permits to have functions on their property once in a while that might go against this? This may be an issue with Powder Mountain.

I would add something like the following paragraph which is slightly changed from the state's nuisance code.

In a civil action for nuisance or a criminal action for public nuisance under Huntsville Town's Nuisance Ordinance, it is a defense if the action involves agricultural operations and those agricultural operations are conducted in the normal and ordinary course of agricultural operations or conducted in accordance with sound agricultural practices. "Agricultural operation" means the production of crops, orchards, livestock, poultry, bees, aquaculture, livestock products, or poultry products. (I did look at the Marriott-Slaterville ordinance. It is good but quite detailed. Do we want to go into that much detail?)

I question 10. Yards and Landscaping. This is mostly an appearance issue verses a health or safety issue.

Under 7. Requirements., we can discuss the 10 day requirement. This is also under 4. E. ii. 2.

We should also talk about 8. Liability.

08.04.060 Penalty. A civil penalty of \$1000 a day seems extreme.

These are just a few of my thoughts. Thanks Beckki for your work on this.

Bruce

From: Nikki Wolthuis <nwolthuis@huntsvilleutah.gov>

Sent: Monday, October 27, 2025 1:29 PM

To: Town Council <tc@huntsvilletown.com>

Subject: TC Meeting Wednesday October 29th

Hello Town Council,

Our next TC Meeting will be this Wednesday October 29th at 6:00 pm. This is in place of our meeting on November 6th. We had talked about holding a work session for the Nuisance Ordinance but since it is the only thing on the agenda besides the minutes we are *not* adding a work session. The packet contains the minutes and ordinance. Beckki was thinking of adding another section to the ordinance. If she does, she will email a copy of that.

Packet

Zoom

Kind Regards,
Nikki Wolthuis
Huntsville Town Clerk



Attention: Huntsville Town is in the process of adopting huntsvilleutah.gov as its new domain name. Please update any contacts in your address book to nwolthuis@huntsvilleutah.gov
huntsvilleutah.gov

4-Way Stop Option

TC MINUTES 10-29-25
Attachment #7

