

**WASHINGTON TERRACE CITY
ORDINANCE 25-01**

TRANSPORTATION CODE

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE, UTAH,
REPEALING AND RE-ENACTING TITLE 10 OF THE *WASHINGTON
TERRACE MUNICIPAL CODE* TO BE ENTITLED “TRANSPORTATION
CODE”; REPEALING CHAPTER 12.04; SEVERABILITY; AND PROVIDING
AN EFFECTIVE DATE.**

WHEREAS, the City of Washington Terrace (hereafter “City”) is a municipal corporation, duly organized and existing under the laws of the state of Utah;

WHEREAS, *Utah Code Annotated* §10-8-8, 1953 as amended, authorizes the City to “lay out, establish, open, alter, widen, narrow, extend, grade, pave or otherwise improve streets.”

WHEREAS, *Utah Code Annotated* §10-8-11, 1953 as amended, empowers municipalities to regulate the use of streets, avenues, alleys, sidewalks, crosswalks, parks and public grounds, prevent and remove obstructions and encroachments thereon, and provide for the lighting and sprinkling of the same.”

WHEREAS, *Utah Code Annotated* §10-8-84, 1953 as amended, grants municipalities broad authority to provide for safety and preserve health, and promote prosperity, improve morals, peace and good order, comfort, convenience, and for the protection of property;

WHEREAS, *Utah Code Annotated* §10-8-60, 1953 as amended, grants municipalities broad authority to declare what shall be a nuisance, abate the same, and to impose fines for such nuisances;

WHEREAS, the City is the “Highway Authority” under State Law for certain roads within its jurisdiction;

WHEREAS, the City Council desires to adopt a Transportation Code;

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

Section 1: Repealer. Any word, sentence, paragraph, or phrase inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: Re-enactment. Title 10 and Chapter 12.04 of the *Washington Terrace Municipal Code* is hereby repealed and re-enacted to read as follows:

**Title 10
Transportation**

Chapters:

10.01 General Provisions

10.03 Traffic Control Regulations

10.05 Operational Restrictions

- 10.07 Speed Limits**
- 10.09 Stopping and Parking Regulations**
- 10.11 Winter Snow Removal and Parking**
- 10.13 Towing and Impoundment**
- 10.15 Pedestrians**
- 10.17 Penalties and Procedures**

Chapter 10.01 General Provisions

Sections:

- 10.01.010 Definitions.**
- 10.01.020 Highway Authority.**
- 10.01.030 Applicability.**
- 10.01.040 Traffic Control Devices and Standards.**
- 10.01.050 State Code.**
- 10.01.060 Operation of Law.**

10.01.010 Definitions.

In addition to the definitions of the municipal code, this Chapter adopts the applicable definitions set forth in Title 72 and Title 41 of the Utah Code Annotated.

1. “City” means the local highway authority and the City of Washington Terrace, Utah.
2. “Private road or driveway” means every way or place in private ownership and used for vehicular travel by the owner(s) and those having express or implied permission from the owner(s), but not used as a dedicated road.
3. “Enforcement Officer” shall mean any person or agency authorized to enforce the law within the City.
4. “Director” means the Director of the Public Works Department, or their designee(s), including any designated consultant, designated agent, or any designated by the City entity providing traffic engineering or related services to the City.
5. “Road” means any street, highway, or other similar term identifying transportation on the public right-of-way, whether dedicated or prescriptive. Depending on the context or State Law, road may be inclusive of sidewalks and pathways on the public right-of-way, and may also be limited to roads where the City is the highway authority under State Law, or all roads in the City as the case may be.

10.01.020 Highway Authority and Administration.

The City is the highway authority for all roads under its jurisdiction and as provided in State Law. This Title is administered by the Director. The Director may be required to administer this Title in conjunction with the City Engineer where specified in this Title.

10.01.030 Applicability.

This Title also applies to every person or entity operating a vehicle, trailer, transportation device, or any other mode of transportation whatsoever on a road or public right-of-way. No person or entity shall disobey the instructions of any applicable and functioning traffic control device, unless directed otherwise by an appropriate enforcement officer or unless operating an authorized emergency vehicle.

10.01.040 Traffic Control Devices and Standards.

The Director, with the assistance of the City Engineer, shall install and maintain traffic control devices as necessary to carry out the provisions of this Title or otherwise regulate, warn, or guide traffic. All traffic control devices should generally conform to the most current publication of the Manual on Uniform Traffic Control Devices (MUTCD), published by the Federal Highway Administration (FHWA), as adapted and applied by the City. The City may also use the American Association of State Highway and Transportation Officials (AASHTO) as a guideline.

10.01.050 State Code.

The provisions of Title 41 and Title 76, Utah Code Annotated, as amended, are hereby adopted and incorporated herein by this reference City, except those that do not come within the jurisdiction of the classification of the City under State Law, or the jurisdiction of the applicable justice court.

10.01.060 Operation of Law.

This Title shall govern in the event of any conflict of law, except where specifically preempted by federal or state law. Nothing in this Title shall be constructed to prevent the City from enforcing applicable federal law. A citation of the governing title, chapter, and section numbers of the applicable state or federal code, as amended, shall serve the equivalent reference to this Title in any matter of enforcement or otherwise. The caption on enforcement or prosecution documents may designate the plaintiff as the city or state, and such documents will operate as a prosecution of any violation of this Title.

**Chapter 10.03
Traffic Control Regulations**

Sections:

- 10.03.010 Compliance with Traffic Control Devices.**
- 10.03.020 Unauthorized Signs or Devices Prohibited.**
- 10.03.030 Obstruction Prohibited.**
- 10.03.040 Crosswalks, Safety Zones, and Traffic Lanes.**
- 10.03.050 One-Way Roads.**
- 10.03.060 Size, Weight, and Route Restrictions.**
- 10.03.070 Truck Routes.**
- 10.03.080 Limited Access Roads.**
- 10.03.090 Dynamic Braking Devices.**

10.03.010 Compliance with Traffic Control Devices.

Subject to the exceptions granted drivers of authorized emergency vehicles, no person shall disobey the instructions of any applicable traffic control device placed in accordance with this Title unless otherwise directed by an appropriate law enforcement officer. Traffic control devices must be properly installed and maintained at the time and place of the alleged violation in order to be enforceable. Each traffic control device should be sufficiently legible to be visible. Traffic control devices that conform to the MUTCD are deemed to be understood by a reasonable person.

10.03.020 Unauthorized Signs and Devices Prohibited.

The City Council finds that the accumulation of non-traffic signs or devices can distract drivers, cause accidents, injuries, and otherwise threaten public safety. All signs posted on the public right-of-way must be approved by the applicable highway authority or otherwise permitted by code. Any prohibited sign, signal, light, device, or marking is hereby declared to be a public nuisance and may be abated or removed by the City without notice to the owner. No person shall place, maintain or display upon or in view of any road any unauthorized sign, signal, light, marking or other device:

1. That purports to be, imitates or resembles an official traffic control device, sign, or signal, or authorized emergency flashing light.
2. That attempts to direct the movement of traffic.
3. That hides from view or interferes with the effectiveness of any official traffic device or any railroad sign or signal.
4. That is of such brilliant illumination and so positioned as to be in danger of blinding or dazzling a driver on any adjacent road.
5. Is an unauthorized sign, signal, light, device, or marking.

10.03.030 Obstruction Prohibited.

1. Obstructions Generally. It is unlawful for persons owning or occupying property adjacent to any road to permit any tree, plant, shrub, sign, vehicle, fence, or other obstacle of any kind located on said property to block any traffic control device to the vision of oncoming motorists or to obscure the vision of oncoming traffic so as to constitute a traffic hazard. The Director and/or Enforcement Officer may determine that a traffic hazard exists and notify the owner or occupant to immediately remove the hazard or abate the same depending upon severity of the obstruction.
2. Repairs. It is unlawful to conduct any vehicle service or repair of any kind in any right-of-way or road, except in case of a bona fide emergency.
3. Mailbox Standards. The following standards applies for the location and type of mailboxes and/or newspaper boxes (“boxes”) on the public right-of-way:
 - a. Location and material type shall conform with the current standard regulations of the Department of Transportation and the U.S. Postal Service.
 - b. Location shall be reasonably set back from road to avoid being damaged by snowplows and other vehicles.
 - c. Relocation by road construction shall meet current standards and regulation.

- d. Boxes which constitute a traffic hazard shall be removed or altered by the owner to conform to current standards and regulations, such removal or alteration shall be at the expense of the owner.
- e. The owner is subject to all liability for placement, construction, and otherwise.
- f. The City may notify the local postmaster of a violation of this part.

10.03.040 Crosswalks, Safety Zones, and Traffic Lanes.

The Director may designate and maintain, where there is particular risk to pedestrians, any crosswalks along with the applicable devices, marks, or lines upon the surface of the road. The Director may also establish safety zones of such kind and character and at such places as deemed necessary for the protection of the public. The Director may designate traffic lanes on roads at places deemed advisable.

10.03.050 One-Way Roads.

Upon declaration of the City Council, the Director may designate and marks roads as one-way, requiring that all vehicles thereon move in one specific direction as specified by the City Engineer.

10.03.060 Size or Weight Restrictions.

The current vehicle size and/or weight standards as set forth in state code apply to City roads. The City Engineer shall calculate or determine weight size restriction based upon the road load limits. The Director may post appropriate traffic control devices on an affected road to:

1. Prohibit the operation of vehicles upon any City road or impose restrictions as to the weight of vehicles thereon for a period of time for a road project, climactic conditions, an emergency, or otherwise.
2. Prohibit the operations of vehicles on any City road whenever such might be damaged by deterioration or climatic conditions.
3. Prohibit or limit the operation of trucks or commercial vehicles, including imposing weight limitations on certain roads.
4. Review and issue travel permits on City roads to move a vehicle restricted for weight and size where a written application is submitted made to the City and good cause shown.

10.03.070 Truck Routes.

No commercial vehicle, semi-truck, or semi-trailer shall operate on any City roads, unless such road is a designated as a truck route or for local delivery within the City. All state roads are designated as truck routes.

10.03.080 Limited Access Roads.

The Director, upon approval of the City Engineer and City Manager, may designate and regulate limited-access roads. The Director may further prohibit or limit the use on limited access highway by certain vehicles, transportation devices, pedestrians, or other prohibited traffic. A person operating a vehicle may not enter, exit, or cross a limited-access road, except at designated points where access is permitted. Barriers or fencing may be installed or maintained

by the Director to prevent unauthorized access. No person may connect a road, private road, driveway, or otherwise intersect with a limited access road without written approval of the Director.

10.03.090 Dynamic Braking Devices.

It is unlawful for any person to operate any motor vehicle with a dynamic braking device engaged, except for the aversion of imminent danger within the City. A dynamic braking device includes jacob brake, engine brake, compression break, or other device used primarily on trucks for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes.

**Chapter 10.05
Operational Restrictions**

Sections:

- 10.05.010 Operation Interference Prohibited.**
- 10.05.020 Negligent Collision.**
- 10.05.030 Covered Loads Required.**
- 10.05.040 Transportation Devices.**

10.05.010 Operation Interference Prohibited.

No driver or other person shall engage in any conduct that interferes with the safe control and operation of a vehicle in motion. This includes the operation of mobile or handheld devices of any kind.

10.05.020 Negligent Collision.

It is unlawful to operate a vehicle with such lack of due care as to cause the same to collide with any vehicle, person, or object.

10.05.030 Covered Loads Required.

It shall be unlawful to operate a vehicle with an uncovered load of debris, gravel, dirt, sand, tree trimmings, grass clipping, or any other material upon any City road.

10.05.040 Transportation Devices.

1. Transportation Devices are defined and governed by state law, under Utah State Code Title 41

**Chapter 10.07
Speed Limits**

Section:

- 10.07.010 Speed Limits Established.**
- 10.07.020 Impeding Traffic.**

10.07.010 Speed Limits Established.

The Director may establish speed limits in accordance with Utah Code 41-6a-603, as amended.

10.07.020 Impeding Traffic.

No person shall operate a vehicle at such a slow speed as to impede or block the normal and reasonable movement of traffic, except when reduced speed is necessary for safe operation or because upon a grade or in compliance with law. The Director may determine and post a minimum speed limit on certain roads.

**Chapter 10.09
Stopping and Parking**

Sections:

- 10.09.010 Traffic Control.**
- 10.09.020 Traffic Markings.**
- 10.09.030 Parking.**
- 10.09.040 Special Parking.**
- 10.09.050 Sale Parking Restrictions.**
- 10.09.060 Liability.**

10.09.010 Traffic Control.

The Director shall cause traffic control devices to be erected to regulate, warn, and guide all types of traffic on City roads.

10.09.020 Traffic Markings.

When appropriate traffic markings may be placed on the road or curb. Any person operating a vehicle shall comply with the appropriate traffic marking. Traffic markings are not required where signs are duly posted, unless required by applicable law. The Director is authorized to place and maintain appropriate traffic markings. Curb traffic markings apply as follows:

1. “Red” means no stopping, standing, or parking at any time.
2. “Yellow” means a restricted zone where stopping, standing, or parking are limited to certain times as designated.
3. “Blue” means parking for a person with a disability who has the proper display or license plate.
4. “White” means loading or unloading zone.

10.09.030 Parking.

The Director may place signs and/or markings on all City roads to prohibit or restrict stopping, standing, or parking. The Director may prohibit, restrict, or regulate the stopping, standing, or parking on any road, public right-of-way, or City property. Parking on any road is limited to a resident owner or occupant, or their invitee. The following are prohibited from parking on any road, public right-of-way, or City property at any time:

1. Any recreational vehicle, boat, or trailer of any kind for a period of more than twenty four (24) hours.
2. Any dump truck, heavy equipment, or other object of any kind, except use for on a bona fide utility project, road project, or development approved by the City.

10.09.040 Special Parking Limitation.

1. Business Vehicle Limits. No home business or work vehicle over one (1) ton in gross vehicle weight shall be parked on any road or public right-of-way
2. Commercial and Trailers. No commercial vehicle, tow truck, semi-truck, semi-trailer,

- utility trailer, other trailer, or storage container shall be allowed to be parked on any road for a period in excess of two (2) hours, except when actively loading or unloading.
3. Construction and Emergency. Parking on any road or public property is allowed for approved and/or permitted construction projects or emergency repairs actively being completed.
 4. Presumption. For the purposes of this Section a home business or commercial vehicle is deemed parked, even when the motor is running, if the commercial vehicle is left unattended by the driver for more than fifteen (15) minutes, except when actively unloading or loading.

10.09.050 Sale Parking Restrictions.

It is unlawful to park any vehicle, trailer, or object of any kind on any public property and/or road for the purpose of displaying it for sale or for commercial advertising. Licenses for mobile sales such as food or beverage or as otherwise provided by state law is allowed if properly licensed and permitted under state law.

10.09.060 Liability.

Where any vehicle is illegally parked it constitutes a rebuttable presumption that the registered owner was in control of the vehicle at the time it was parked.

**Chapter 10.11
Winter Snow Removal and Parking**

Sections:

- 10.11.010 Snow Removal on City Roads.**
- 10.11.020 Snow Removal on Sidewalks.**
- 10.11.030 Winter Parking Restrictions.**
- 10.11.040 Nuisance Abatement.**
- 10.11.050 Interfering with Snow Removal.**

10.11.010 Snow Removal on City Roads.

The Director is responsible for snow removal on City roads. Snow removal from roads is prioritized in the following order:

1. Arterial roads.
2. Collector roads.
3. Residential roads.

10.11.020 Snow Removal on Sidewalks and Private Property.

1. Responsibility. It is the responsibility of the abutting property owner to remove snow from sidewalks and driveway approaches accessing the road within twenty-four (24) hours of the end of a snowstorm event.
2. Placement. Snow from private property shall remain on private property, including any sidewalk or driveway shall not:
 - a. Be placed on any road, travel lane, or in a manner that may create a hazardous condition.
 - b. Be pushed across the City road and deposited on the roadside opposite the driveway, except by permit from the City.
 - c. Be pushed onto or placed on a City road. There is no public expectation that snow placed in the road will be removed or pushed aside by snowplows.

10.11.030 Winter Parking Restrictions.

1. Winter Parking. In order to adequately remove snow and to avoid property damage as far as possible, it is necessary to keep the city roads clear of all parked vehicles and other obstacles stationed on or adjacent to the travel-way. No person who owns, controls, possesses, or otherwise operates a vehicle, trailer, or object shall park such, or allow such to be placed or parked, upon any public road, including the road shoulder, between the hours of one o'clock (1:00) AM to five (5:00) AM from December 1 until March 1 each year, or otherwise during a winter storm event including seventy-two (72) hours after

- such winter storm event. Any such vehicle, trailer, or object so parked or placed, is declared a public nuisance.
2. Existing Violations. Where the registered owner of any vehicle or trailer parked on the public right-of-way is overdue on the satisfaction of an outstanding parking ticket, that vehicle or trailer is hereby declared a public nuisance and may be immediately towed, removed, or relocated by the City at the expense of the owner.
 3. Winter Parking Areas. Residents in a designated “Winter Parking Area” may park on soft surfaces within their yard area, at-will and during a snow and or ice event, and/or between December 1 and until March 1 each year notwithstanding regulations otherwise in this Section. All vehicles parked on a soft surface for winter parking must be removed from the soft surface environment by March 1, except where there may be an additional accumulating snow event. The winter soft-surface parking allowance in this Section is subject to the following:
 - a. No parking for any type of recreational vehicle, trailer, commercial vehicle, work vehicle, or vehicle used as part of a home business.
 - b. That all available parking area at a residence is to be utilized only for authorized vehicle parking area and not for any storage or other use of any kind.
 - c. That all parked vehicles owned by the resident are properly licensed, registered, and operable.
 - d. Any yard area damaged as a result of winter soft-surface parking authorized by this Section shall be restored to its original or better condition on or before April 30 of each year such is used for parking. In addition to the penalty provided in this Section, any spring restoration that is not completed as provided in this part may be enforced by the City as a nuisance violation.
 4. Penalty. A violation of this Section is an infraction subject to a fine not to exceed \$750. Any parking violation referred to in this section is an infraction and subject to a fine not to exceed \$50.00, per parking violation.

10.11.040 Nuisance Abatement.

An enforcement officer is authorized to abate any vehicle, trailer, transportation device, or other object of any kind in violation of this Title by abating, removing, or impound the same.

10.11.050 Interfering with Snow Removal.

When a City official, employee, or contractor is engaged in snow removal on behalf of the City, it unlawful for any person to:

1. Communicate a threat to commit an assault or any violent felony towards the snowplow operator, or another, in the course of the snowplow operator’s duties.
2. Interfere, harm, injure, damage, or destroy the snowplow operator or their equipment.
3. Remove a snowplow operator from their vehicle, or remove any part, component, bolt, or piece from any snowplow equipment unless authorized to do so by the City.
4. Place or maintain in place any obstruction, blockade, barrier, equipment, fence, object, item, or other change in, upon, or across the public right-of-way without first receiving written permission from the City.

5. Stand or place any item on or in front of a snowplow operator in the course of their duties.
6. Throw or otherwise propel snow or any other substance or object at a snowplow operator in the course of their duties.
7. Otherwise inhibit or attempt to inhibit the operation of a snowplow operator in the course of their duties.

Chapter 10.13 Towing and Impoundment

Sections:

- 10.13.010 Towing of Nuisance Vehicle.**
- 10.13.020 Towing Zones.**
- 10.13.030 Procedure.**

10.13.010 Towing of Nuisance Vehicle.

In accordance with Utah Code §10-8-60, as amended, any vehicle described below is hereby determined to be a public nuisance subject to immediate abatement, including towing, by the City or its Enforcement Officer:

1. Any unattended vehicle stopped, stationed, or parked in violation of any of the provisions of this Title, or other law.
2. Any vehicle found upon the road with faulty or defective equipment.
3. Any vehicle left unattended upon any bridge or at any location in the City where such vehicle constitutes an obstruction, hazard, or blocks any access.
4. Any vehicle parked on a closed or restricted road.
5. Any vehicle parked on a road or public property that is a construction area or site, or where an emergency or disaster exists where such vehicle constitutes an obstruction to the situation being addressed.
6. Any disabled or inoperable vehicle on a road.
7. A vehicle the person or persons in charge of the vehicle are by reason of physical injury incapacitated to such an extent as to be unable to provide for its custody or removal.
8. A vehicle on public property that is not designated for parking or parked in public parking area more than twenty-four (24) hours.
9. Any vehicle on the road or public property where the person or persons in charge of the vehicle are taken into custody by a law enforcement under such circumstances as would leave such vehicle unattended.
10. Any vehicle found parked in such a manner to constitute a fire hazard or an obstruction to firefighting apparatus, including marked or reasonably identifiable hydrants.
11. Any vehicle that met the circumstances set forth in Utah Code §41-1a-1101, as amended.

10.13.020 Towing Zones.

In accordance with Utah Code §41-6a-1406, the Director may establish towing zones on certain City roads where necessary.

10.13.030 Procedure.

The removal, towing, and/or impoundment of any vehicle, trailer, or object by the City, law enforcement, or towing agent shall be completed in accordance with the procedure of the applicable state law and any agency assisting the City in enforcement.

**Chapter 10.15
Pedestrians**

Sections:

- 10.15.010 Driver Caution.**
- 10.15.020 Crossings.**
- 10.15.030 Right-of-Way.**
- 10.15.040 Obstructions Prohibited.**
- 10.15.050 Standing Prohibited.**

10.15.010 Driver Caution.

Every driver of a vehicle shall exercise due care to avoid colliding with any pedestrian upon any road, shall give warning by sounding the horn when necessary, and shall exercise proper precaution upon observing any pedestrian, cyclist, or animal on any road.

10.15.020 Crossings.

Each crosswalk is defined and governed by state law.

10.15.030 Right-of-Way.

Every pedestrian crossing a road at any point other than within a marked crosswalk or within an unmarked crosswalk at an intersection shall do so only if no crosswalk exists within a reasonable distance to the desired point of crossing. When so crossing, the pedestrian shall yield the right-of-way to all vehicles upon the roadway. Between intersections where traffic control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk or other lawful crossing.

10.15.040 Obstructions Prohibited.

No person or entity shall obstruct any sidewalks, crosswalks, approaches, curb lines, fire hydrant, or encroach into areas prohibited by law or obstruct a City road. No screening, fencing, gate, vegetation, basketball or sports apparatus, or any other obstruction shall infringe upon any public right-of-way. All trees, signs, canopies, or similar structure must have a minimum seven (7) feet clearance above the surface of the sidewalk. Trees that overhang the road must have a minimum fourteen (14) feet clearance from the grade of the road.

10.15.050 Stopping or Standing Prohibited.

The Director may designate a pedestrian “Limited Access Area” to restrict or prohibit pedestrian traffic from stopping, standing, or loitering where public safety necessitates.

**Chapter 10.17
Penalties and Procedures**

Sections:

10.17.010 Violation Penalties.

10.17.020 Procedures.

10.17.010 Violation Penalties.

Any violations of this Title where governed by state law shall be in accordance with the penalties prescribed by the applicable state law. All other violations of this Title shall be an “infraction” subject to a fine not to exceed \$1,000, or the applicable bail schedule as applied by the Court. The penalties and procedures in this Chapter do not apply to public officials in the course of their duties.

10.17.020 Procedures.

Any person who violates this Title may be issued a citation or information for the violation(s) subject to the procedure afforded by law and the applicable court.

Section 3: 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 remainder shall continue in full force and effect.

Section 4: Effective date. This Ordinance take effect immediately upon mayoral approval and posting.

PASSED AND ADOPTED by the City Council on this ____ day of _____, 2025.

Mayor

ATTEST:

City Recorder

RECORDED this ____ day of _____, 2025.

PUBLISHED OR POSTED this ____ day of _____, 2025.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

In accordance with Utah Code Annotated §10-3-713, 1953 as amended, I, the City Recorder of the City of Washington terrace, Utah, hereby certify that the foregoing Ordinance was duly passed and published and/or posted as required by State Law.

City Recorder

DATE: _____