

# TITLE IV

## PUBLIC PROPERTY/UTILITIES

### CHAPTER 1

#### STREET AND SIDEWALK REGULATIONS

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4-1-1: **BUILDING LINE ON STREET.** No building or house erected on the boundary or edge of any street, lane, avenue, or alley of this City shall extend further into the street than the outer edge of the lot or the inner edge of the sidewalk.

4-1-2: **STREETS AND SIDEWALKS CONSTRUCTED BY INDIVIDUALS.** It shall be unlawful for any person, either as owner, agent, servant, contractor or employee, to construct any street or sidewalk in this City unless a permit is first obtained from the City Council to do so and unless such street or sidewalk be constructed to lines and grades and specifications as given and established by the City Council or unless special permission to deviate from such lines and grades is first obtained from the City Council. All such streets and sidewalks shall be constructed under the supervision of an inspector to be appointed by the City, but the cost of indicating grade and lines shall be borne by the person constructing said street or sidewalk.

4-1-3: **OBSTRUCTIONS.** All persons are hereby forbidden to obstruct the sidewalks, crosswalks, or streets of this City, or to place any earth or substance on said sidewalks, or to permit any gate or other obstruction to swing across any sidewalk of this City to the annoyance of another person; provided, however, that special permission may be granted by the City Council to place obstructions on sidewalks or streets when necessary for improving the same or to provide protection when buildings are in the course of construction.

4-1-4: **LOCATION OF POLES ON STREETS.** All sign posts, telegraph, telephone or light poles, awnings, porch posts, or other obstructions shall be set at the outer edge of the sidewalk at such places as the City Marshal, with the approval of the City Council may

designate. No pole stubs shall be set on any telegraph, telephone, or light poles which are located on a public street or sidewalk within the City.

**4-1-5: HEIGHT OF AWNINGS, PORCHES, AND SIGNS.** All awnings, porch tops, and sign boards crossing or extending over any sidewalk in this City must be at least eight feet above the grade of the sidewalk.

**4-1-6: STREET AND SIDEWALK CLEANLINESS**

A. It shall be the duty of the owner of occupant of private property fronting upon a public sidewalk to remove all weeds and noxious vegetation from such property and in front thereof to the curb line of the street and to keep the sidewalks in front of such property free from dirt, litter, snow, ice or obstructions.

B. It shall be the duty of general contractors, owner-builders, or owners of every residential or commercial building construction site to keep the construction site in a condition of cleanliness and healthfulness by:

- (1) Preventing the accumulation of garbage or refuse, including boards, bricks, stones, trash etc., into disorderly stacks or piles. A commercial trash bin or suitable container, located on the site, shall be used for refuse on the construction site and shall be emptied when full;
- (2) Maintaining the premises in such a manner that mice, rats, rodents, or animals do not inhabit the premises;
- (3) Preventing garbage, refuse, dirt, rocks or building materials from encroaching onto sidewalks, curbs, gutters, streets, public property, or private property without the written consent of the owner, except that dirt may be used for the bridging of sidewalks during construction. However, use of dirt for bridging curb and gutter will not be allowed.

(4) Preventing the blowing of paper or other debris onto neighboring properties.

(C) In order to protect the function of the City's storm drainage system and ensure safety of the public, this section shall be primarily enforced by the Syracuse City Building Department, with the assistance of the Police Department. When a violation occurs, a Building Department official may issue a stop work order on the construction project until the violation is corrected. Contractors, builders, or residents violating this section shall be guilty of a Class "B" misdemeanor. (Ord 04-19)

**4-1-7 EXCAVATIONS.** It shall be unlawful for any person, except City personnel or those duly authorized by the City Council to make any excavation in any street, right-of-way, lane or alley, or remove any pavement or other materials forming any street or improvement thereof without first having obtained a permit therefor from the City. In order to obtain an excavation permit an application therefor shall be submitted to the City Council, accompanied by an application fee in an amount established by the City Council from time to time by resolution, stating the location of the proposed excavation, the nature and extent of the same, the purpose for which the excavation is necessary, the manner in which it is proposed to accomplish such excavating, the means to be employed to permit the unobstructed flow of traffic thereon, and the length of time the excavation will remain. The Council shall issue, after determining that the proposed excavation is necessary and that the same will not unreasonably

damage said street, lane, or alley, a permit to undertake and complete such excavation.

Prior to the issuance of a permit covering such excavation, the City Council shall require a bond issued by a licensed surety company of the State of Utah or a cashier's check made out in favor of Syracuse City in an amount sufficient to guarantee restoration of such street, lane or alley to its original condition. All persons or firms making such excavations must hold a valid license from the State of Utah and must maintain adequate public liability insurance. (See Resolution R98-2)

No such excavation nor obstruction to any such street, lane, or alley shall be made without notifying the City of Syracuse in advance of the time when it is proposed to begin such excavation. It shall be unlawful for any person to close any such street, lane, or alley or to prevent the flow of traffic thereon without first obtaining permission therefor from the City of Syracuse.

All backfill shall meet standard specifications and all materials used shall be properly tamped or settled with a sufficient quantity of water to assure proper compaction. The contractor shall be required to submit a compaction report to the City.

It shall be unlawful for any person having made an excavation in any street, whether under a permit or otherwise to fail, neglect, or refuse for a period of five days after notice, to restore said street to its normal condition. It shall be unlawful for any person, by or for whom any excavation is made in a public street or any purpose to fail to cause a barricade, rail, or other sufficient fence to be placed so as to enclose such excavation, together with the dirt, gravel, or other material thrown therefrom, and to maintain such barricade during the whole time for which such excavation continues; lanterns or some other proper and sufficient lights shall be fixed to parts of such barricade, or in some other proper manner over or near the excavation, and over and near the dirt, gravel, or other material taken therefrom, and so kept from the beginning of twilight through the whole of every night during all the time such excavation exists. It shall be unlawful for any person to maliciously or wantonly, and without legal cause, to extinguish, remove, or diminish said lights or tear down or remove any rail, fence, or barricade fixed in accordance with the provisions of this Section. (Ord 05-04)

- 4-1-8 DEFERRAL OF CONSTRUCTION.** The City Engineer may, in the Engineer's reasonable discretion, defer construction or other activity under any permit provided for in this chapter, until such time as the Engineer deems it proper in all cases where the public place on which the work is desired to be done is occupied or about to be occupied in any work by the City, or by some other person having a right to use the same in such manner as to render it seriously inconvenient to the public to permit any further obstruction thereof at such time, and in granting such permit, may so regulate the manner of doing such work in order to cause the least inconvenience to the public in the use of such public place; and in all cases any work of the City or its contractors or employees for municipal purposes shall have precedence over all work of every other kind.
- 4-1-9 TEMPORARY RESTORATION.** Anyone issued a permit for excavation or other activity under this chapter shall temporarily restore the street, alley, or other public place in a manner approved by the City Engineer, within seven days (7) after completion of the work for which the permit was issued. This requirement of temporary restoration may be waived by the City Engineer upon a determination that after consideration of the potential for settlement of the excavated area.
- 4-1-10 PERMANENT RESTORATION.** All permanent repairs of the temporary restoration shall be completed by the excavator within one year after completion of the work for

which the permit was issued. If the permittee fails to complete the permanent restoration within this time period and in a manner approved by the City Engineer, the City may restore the street, alley, or other public place and bill the permittee for the repair. All permanent repairs shall be bonded for at the time of the issuance of a permit. Upon notice to the permittee, the bond may be called and used to complete the permanent restoration if the permittee fails to complete the restoration. The permittee may, at the time the permit is issued, contract with the City for the completion of the permanent restoration.

**4-1-11**

**ANNUAL MEETING AND DISCLOSURE.** Beginning by November 2000, and by the first week of January of each succeeding year, the City Engineer shall provide to all utilities, a list of street and other improvements planned for the following three successive years. All agencies, utilities, franchises, and other entities planning work in a street, alley, or other public place that will require a permit under this chapter shall submit a list of proposed projects and locations to the City Engineer by December 31<sup>st</sup> of each year. This list shall cover the planned projects for the following three years. These lists of planned projects shall be entered in to the City's Geographic Information System and integrated with other information on street condition and use. For the purpose of this subsection, the term "planned projects" does not include new construction that could not have reasonably been foreseen at the beginning of the year. The City Engineer may deny entities or agencies that fail to provide this information, permits for construction or other activity under this chapter unless the entity was not provided a list of planned street improvements by the City for that year. The City may hold an annual meeting for the purpose of providing and explaining such list.

**General Requirements.** Each applicant shall:

- (A) For single excavated areas less than fifty feet (50') in length and twenty feet (20') in width, all materials that are dug out of the trench or excavation shall be hauled off and disposed of. The trench or excavation shall be refilled with new crushed road base and compacted to ninety-six percent (96 %) and made ready for the asphalt finish surface. The trench or excavation shall be patched by the contractor with a minimum of three (3) inches of asphalt. See Figure 3 at the end of this Chapter.
- (B) Before any excavation begins under this permit and at all times during the excavation, make proper provisions for protecting the public with necessary guards, barricades, lights, signals and with all other appurtenances necessary to safeguard the lives and property of the users of such roadway, sidewalk, and other facilities. Visible flasher lights shall be used in hours of darkness.
- (C) Be responsible for all liability or personal injury resulting from neglect. The applicant shall indemnify Syracuse City against all claims, demands, costs, damages, attorney fees or other expenses of any kind occasioned by such neglect. The applicant shall, upon request of the City, produce evidence of insurance adequate to cover such claims.
- (D) Be responsible for restoring all Public Ways, including sidewalk surfaces, curb and gutter, driveways, ditches, and other landscaping, to their original condition, whether public or private, in a manner conforming to current Syracuse City specifications.

- (E) On any project, regardless of the age or condition of the pavement, keeps excavations to a minimum and, wherever possible, locate excavations so that one "common" patch can cover as many excavations as possible.
- (F) Restore roads to a passable and safe condition within sixteen (16) hours. All remaining repairs and restoration shall take place within ten (10) calendar days from the date of the first excavation. All debris generated as a result of said excavation will be removed immediately from the area upon completion of the excavation. If, within the standard ten (10) days, or other time period authorized by the City Engineer, the road cut or excavation has not been repaired as required, Syracuse City may revoke the excavation bond and cause the repairs to be made. The costs of repair shall include administrative costs. The permittee shall be responsible for trench maintenance for one (1) year after the date it was inspected and approved by the Public Works Department. If repair of the road cut or trench is necessary within the initial one-year period, the permittee shall make repairs to the satisfaction of the City Engineer or, in the alternative, the City may revoke the excavation bond and cause the repairs to be made.
- (G) Limit the trench length left at grade but unpaved to a maximum of one thousand feet (1000'). No excavation shall be allowed to continue until the one thousand feet (1000') of trench has been restored with proper asphalt surface and inspected and accepted by the City.
- (H) All excavations of twelve inches (12") or less in width, shall be required to use flowable fill prior to the application of an asphalt finished surface.
- (I) All excavation, when refilled, shall be compacted to ninety-six percent (96%). The contractor shall submit tests to the City confirming that compaction.
- (J) Bore pits adjacent to or which may be hazardous to traffic shall not be left open or unshielded overnight. Shielding in conformance with the manual on Uniform Traffic Control Devices shall be allowed in the case of large pits or extensive bore and jack operations. Small bores under two lane roadways should be completed in one continuous operation.
- (K) Common trenching shall be required in all subdivisions, unless otherwise approved or excepted by the City Engineer. ( See figure 8.7 Typical Section – Common Trench)
- (L) All utility excavation shall be bored whenever possible.

**4-1-12**

**RESTORATION OF ASPHALT CUTS.** For any asphalt surface three years old or less, new asphalt must be provided for the length of the cut and the width of all lanes affected by the construction or other activity. For any asphalt surface where thirty percent (30%) or more of the width of any lane is affected by the construction or other activity, new asphalt shall be provided for the length of the cut and the width of all lanes affected. For all other asphalt surfaces, new asphalt shall be provided for the length and width of the effected area as required in this chapter. The City Engineer may require that the surface of the street receiving new asphalt be rotomilled prior to resurfacing.

**4-1-13**

**EXCAVATION THROUGH INTERSECTION REQUIRES DRY LINES.** Every person seeking a permit to excavate in or through an intersection shall be required to place conduit in the open trench for the purpose of providing for the placement of future utilities without disruption to the surface of the right-of-way.

**4-1-14**            **LATERALS.** The City shall notify all abutting property owners along the affected portion of a street proposed for opening by the City, and a permittee shall notify all property owners as determined by the last tax assessment rolls, of the intent to open the street and shall provide to each owner, an opportunity to place, at the owners expense, laterals for the utilities to their property, prior to closing the trench. No excavation for laterals shall be allowed for a period of three (3) years after construction or reconstruction of a street, where such notice was given and the property owner declined to install the lateral.

The City Engineer may waive this barrier to entering a street if a determination is made, that the required notice was not sent, and, at the Engineer's sole discretion, it is determined that the excavation is necessary to provide an essential service that cannot be provided, except by cutting the street. The permittee shall pay a fee equal to the estimated damage to the useful life of the street and repairs and repaves that portion of the street necessary to restore it, as close as possible, to its original condition, as determined by the City Engineer.

**4-1-15**            **RESTORATION OF PUBLIC PROPERTY.**

(A) The permittee shall, at its own expense, restore the surface of any Public way to its original condition and replace any removed or damaged pavement with the same type and depth of pavement of that which is adjoining, including the gravel base material. All restoration shall conform to the engineering regulations; design standards and specifications promulgated by the City and shall be accomplished within the time limits set forth in this chapter, unless additional time is granted in writing by the Department.

(B) Permittees shall be responsible for any necessary repair of a temporary restoration of a street, alley, or other public place until the permanent restoration is completed. Permittees shall be responsible for any necessary repair of a permanent restoration until the street, alley, or other public place has been repaved, reconstructed, or five (5) years after the completion of a permanent restoration, whichever occurs sooner, unless the permittee contracted with the City Engineer for permanent restoration. If the permittee who is responsible fails to complete any necessary repair of a filled temporary restoration within three (3) calendar days or a permanent restoration within thirty (30) calendar days of being notified to do so by the City, the City Engineer may complete the repair and bill the permittee for the costs of such repair.

(C) At its option, the permittee doing the actual excavation work may request that the City restore the surface to its original condition. The fee for such resurfacing shall be determined by the City Engineer in accordance with its reasonable costs for such excavation and shall be charged to the person, firm, or corporation making the excavation. Payment for said excavation shall be received by the City prior to the release of the bond.

**4-1-16:**            **PROHIBITED ACTS.** It shall be unlawful for any person to destroy, deface, or in any manner injure any public street or sidewalk.

It shall be unlawful for any person intentionally or carelessly to throw, cast, or put into, drop, or leave in any street, gutter, sidewalk, or public place any stones, gravel, sand,

coal, dirt, manure, garbage, leaves, lawn or hedge clippings, rubbish of any kind, or any other substance. (1971)

## CHAPTER 2

### SEWER REGULATIONS

**4-2-1: When Owner Required to Connect to Sewer**

**4-2-2: Permit Required**

**4-2-3: Schedule of Rates and Charges**

**4-2-4: Rules Covering Connection Fees**

**4-2-5: Connections to Sewer Collection Facilities**

**4-2-6: Payment and Collection of Fees and Charges**

**4-2-1: WHEN OWNER REQUIRED TO CONNECT TO SEWER.** The owner of all houses, buildings, or properties used for human occupancy, employment, recreation, commercial, industrial, or other like purposes situated within the corporate limits of Syracuse, Utah, and abutting on any street, alley, or right-of-way in which there is now located or may in the future be located a public sanitary or combined sewer owned and operated by Syracuse City or owned and operated by any special improvement or sanitary sewer district, is hereby required, at his expense, to install suitable toilet facilities therein, and to connect such facilities directly with the proper public sewer in accordance with the provisions of these Revised Ordinances, within 90 days after that said public sewer is available for use, provided that said public sewer line is within 300 feet of any such building discharging sanitary or industrial waste; and provided further that the City Council shall have the right to extend the said period in case of unusual hardship. The City shall provide the stub from the main collection line to the property line.

Any person owning any house, building or property used for human occupancy, employment, recreation, or other purposes as herein referred to, who shall refuse, fail, or neglect to connect said property as required by these Ordinances to a public sewer available, shall be deemed guilty of a misdemeanor. (1971)

**4-2-2: PERMIT REQUIRED.** No unauthorized person shall uncover, make any connections with or opening into, use, alter, or disturb any public sewer or appurtenance thereof for any reason without first obtaining a written permit from the City or other owner of such sewer facilities.

**4-2-3: SCHEDULE OF RATES AND CHARGES.** The schedule of rates and charges for service to be rendered by the sewage collection system, shall be set by resolution and shall be subject to such increase and revision from time to time as the City Council may determine necessary to operate, maintain, extend, and enlarge such system. (See Resolution R-97-2) (1997)

**4-2-4: RULES COVERING CONNECTION FEES.**

- (A) Full Connection Fee Required. Any applicant for a sewer connection to any lot abutting on a street, alley, or other right-of-way containing a main sewer line shall pay the full connection fee therefor.
- (B) Two or More Dwellings on Lot. In case two or more dwellings exist on any lot under the same ownership, and if any of such dwelling is located to the rear of the other or at least 75 feet from the property line abutting on any street, alley, or right of way containing a main sewer line, the rear dwellings shall be charged one-half the applicable full connection fee where the owner thereof requests only one stub for dwellings on such lot and the same service lateral is used for all such dwellings.
- (C) Business Block or Shopping Center. In any "business block", or shopping center containing more than one adjoining business or commercial establishment under one ownership, where more than one such establishment is connected with the same service lateral, but separate applications for service are made and separate billings requested, one of such establishments shall pay the applicable full connection fee and each additional establishment shall pay one-half the applicable connection fee required for connection of similar size. Such separate application or separate billing shall not relieve the premises so served from any lien for delinquent sewer service charges as hereafter provided.(1971)

**4-2-5: CONNECTIONS TO SEWER COLLECTION FACILITIES.**

- (A) Stub to be Installed. The Council will cause the appropriate size stub to be installed to the property line of every lot abutting on a street, alley, or other right-of-way containing a main sewer line where a home or other building is now located, whether or not the owner or occupant makes application for sewer service.

The applicable connection fee must be paid in full before the Council will cause the service lateral from any home or building to be connected to the stub from the main sewer line.

- (B) Vacant Lot Connections. If the owner of any vacant lot abutting on a street, alley, or other right-of-way containing a main sewer line shall make application and pay the applicable connection fee prior to the time the construction of the main sewer line in the street, alley, or other right-of-way reaches the vacant lot, the Council shall cause a stub to be constructed from the main sewer line to the property line of said vacant lot. No sewer service charge will be imposed as to such vacant lot until such time as a building is erected thereupon.
- (C) Independent Service Laterals Necessary. A separate and independent service lateral shall be provided for every building, except as provided in Subsections (B) and (C) of Section 4-2-4 of this Chapter. (1971)
- (D) Owner Responsible for Lateral. The owner of premises served by any public sanitary sewer system, including but not limited to that owned by the City, shall be solely responsible for maintaining in good condition, free from obstruction and sufficiently watertight to prevent ground water infiltration, the sewer service lateral from the dwelling or other building served thereby to the main sewer collection line in the street; provided, however, that any excavations of any kind made in the street shall be authorized by the City and a permit issued therefor. (1997)

**4-2-6: PAYMENT AND COLLECTION OF FEES AND CHARGES.**

- (A) Connection Fee to be Paid. The owner of any property to be served or abutting on a street, alley, or other right-of-way containing a main sewer line must pay the applicable connection fee in full within 90 days after the date that said public sewer is available for use. After the expiration of the 90 day period appropriate proceedings under these Revised Ordinances shall be instituted as determined necessary by the Council.
- (B) Billing for Sewer Service. The sewer service charges imposed hereunder shall be initially billed monthly at the end of each month, such billing to include both water and sewer services. Any person desiring, or who is required, to secure water or sewer services, or both, when such service is available, shall apply therefor to the City Recorder and file an agreement with the City consenting to the discontinuance of water service in the event of failure to pay for either the water or sewer service to his said premises.
- (C) Changes in Billing Method. The Council may from time to time, at its discretion and by resolution, change the method of billing sewer service charges from the aforementioned monthly basis to an annual or other basis.
- (D) When Charges Due. All service charges will become due and payable as of the date of billing.
- (E) Collection of Delinquent Charges. The Council will use any method which is legally available to collect delinquent charges, and such interest and penalties as the Council may determine, and the Council will, when appropriate and necessary to effect collection, cause all buildings and structures on premises for which any delinquent charge is not paid, with applicable penalty and interest, in full within 90 days from the date on which the charge became delinquent, to be disconnected from the system and to cease discharging sewage into the system. Such premises may thereafter be reconnected to the system only if all delinquent amounts, including applicable penalties and interest, shall have been paid. In addition, the Council shall fix an appropriate re-connection charge in an amount at least sufficient to cover the cost to the City of disconnecting and reconnecting the premises, which re-connection charge must be paid before service is resumed.
- (F) Charges Payable by Owner. All charges made for sewer service or connections shall be chargeable against and payable by the owner of the premises connected with the sewage collection portion of the system, but such owner may be relieved from such liability if and to the extent that any such charge or charges are paid by the occupant of the premises.
- (G) Authorization Necessary to Reconnect. It shall be unlawful for any person, after sewer service to any premises has been discontinued or disconnected for any reason whatsoever, to reconnect or resume such service or for the owner or occupant of such premises to allow the same to be reconnected or resumed without being authorized by the City or other owner of such sanitary sewer. (1971)

**4-2-7:**

**USE OF SEWER FACILITIES**

- (A) Discharge Excessive Water Into Sewer. It shall be unlawful for any person to discharge or cause to be discharged any storm water, surface water, ground water, roof runoff, or subsurface drainage into any sanitary sewer, except in conformity with regulations of the City or sewer district. Such storm water and all other unpolluted drainage shall be discharged to such sewers as are specifically

designated as storm sewers, or to a natural outlet consisting of water courses, ponds, ditches, lakes, or other bodies of surface or ground water provided for receiving the same.

- (B) Specific Wastes Prohibited. It shall be unlawful for any person to discharge into a sanitary sewer any of the following waters or wastes:
- (1) Any liquid or vapor having a temperature higher than 150° F. in sufficient quantities to interfere with or damage the sewage works or sewer treatment facilities.
  - (2) Any gasolines, benzene, naphtha, fuel oil, or other flammable or explosive liquid, solid, or gas.
  - (3) Any garbage that has not been properly shredded.
  - (4) Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
  - (5) Any waters or wastes having corrosive properties capable of causing damage or hazard to structures, equipment and personnel of the sewage works.
  - (6) Any waters or wastes containing a toxic or poisonous substance in sufficient quantity to injure or interfere with any sewage treatment plant.
  - (7) Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.
  - (8) Any noxious or malodorous gas or substance capable of creating a public nuisance.
- (C) Damage to Sewer System. No unauthorized person shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is a part of a sanitary sewer facility or sewage works, or remove any manhole cover therefrom.
- (D) Authorized Representatives to have Free Access. Free access shall, at all ordinary hours, be allowed to authorized representatives of the City or other owner of such sanitary sewer to inspect and examine such facilities, including service laterals connected to the building, to inspect the plumbing and facilities, and to determine compliance with the rules and regulations of the City or other owner of such sanitary sewer facilities. (1971)

## CHAPTER 3

### WATER REGULATIONS

#### 4-3-1: Regulations

- 4-3-2: Rates
- 4-3-3: Application for Water Service
- 4-3-4: Permits And Reports
- 4-3-5: Fixtures And Fittings Used In Water Connections
- 4-3-6: Outlets And Sprinklers
- 4-3-7: Placement And Connection
- 4-3-8: Use Without Payment Prohibited
- 4-3-9: Temporary Discontinuance of Service
- 4-3-10: Discontinuances Of Service If Payments Delinquent
- 4-3-11: Turning On Water Without Authorization
- 4-3-12: Board Of Equalization
- 4-3-13: Scarcity Of Water
- 4-3-14: City To Have Free Access
- 4-3-15: Water Meters
- 4-3-16: Two Users On One Connection
- 4-3-17: Taker To Only Use Water
- 4-3-18: Waste Prohibited
- 4-3-19: Standby Water Service
- 4-3-20: Water From Non-Metered Connections
- 4-3-21: Non-Recirculating Air Conditioning Systems
- 4-3-22: Extension Of Water Lines Within The City
- 4-3-23: Supply Of Water To Persons Outside City Limits
- 4-3-24: Extensions Outside City Limits May Be Master Metered
- 4-3-1: **REGULATIONS.** The City Council shall establish by ordinance such regulations controlling and governing the water system of Syracuse City, the manner of making connections to said system, the materials to be used in making such connections, and other regulations as may be necessary for the operation of the water system.
- 4-3-2: **RATES.** The City Council shall, from time to time, enact by resolution the rates to be charged water users in Syracuse City . (1971) (See Resolution R97-2)

4-3-3:

**APPLICATION FOR SERVICE.** Any person desiring, or who is required to secure water, sewer, or garbage service from Syracuse City Corporation when such service is available, shall apply therefor to the City Recorder and file an agreement with the City which shall be in substantially the following form:

WATER APPLICATION AND AGREEMENT

APPLICATION IS HEREBY MADE BY THE UNDERSIGNED TO SYRACUSE CITY FOR WATER, SEWER, AND GARBAGE SERVICE FOR THE PREMISES LOCATED AT \_\_\_\_\_.

In making said application the undersigned agrees:

1. To pay a connection fee of \$\_\_\_\_\_ to the City upon approval of this application.
2. To pay for all water, sewer, and garbage service afforded by the City at the lawfully established monthly rates as may from time to time be established by the City Council of Syracuse.
3. To abide by and obey all lawful rules and regulations of the City which may be adopted from time to time.
4. To deposit \$\_\_\_\_\_ with the City for water, sewer, and garbage service, and authorizes the City, at its election, to apply the deposit, or any part thereof, upon bills due for prior service, and in the event any such charges are past due and delinquent, or the occupant of the premises shall fail to conform to the Ordinances and regulations of the City, to discontinue service pursuant to seven days written notice of the City's intention to do so, until all delinquencies and re-connection fees are paid in full and/or failure to conform to the City's Ordinances and regulations has been eliminated.
5. Said deposit shall not constitute an advance payment for service, and unpaid accounts will be delinquent notwithstanding the existence of the deposit. In the event said deposit, or any part thereof, is applied to payment of any delinquent charges, applicant agrees, on written demand of the City, to repay to the City any portion of the deposit so applied to delinquent charges.
6. To notify the City if the property covered by this Application is sold or transferred, giving the name and address of the transferee, and to remain liable for all water, sewer, and/or garbage service thereto until the date of said notice.
7. In the event undersigned becomes delinquent for more than 30 days in the payment of the monthly service charge, undersigned will pay the reasonable cost (whether suit is filed or not) of collecting the arrearages, including a reasonable attorney's fee.
8. Permission is hereby granted, in consideration of acceptance of this Application, to the City and its agents, to enter the property of applicant to maintain or replace appurtenant works and to read meters on the premises.

Dated this \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_.

\_\_\_\_\_  
Applicant

ACCEPTED BY SYRACUSE CITY

BY \_\_\_\_\_

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Applicants for water, sewer, and garbage service shall pay a deposit of \$40.00 at the time of application, which amount shall at the end of one year be returned if applicant is a home owner and has kept his water bill current, or, if renting, at the time he moves if water bill is current. In the event the user shall fail to pay his water charges, said deposit shall be applied to the payment of any delinquent charges, and user shall, upon written demand of the City, repay to the City any portion of the deposit so applied to delinquent charges. Said deposit may be changed by Resolution of the Council.

Applications for service to premises occupied by a tenant shall be made by the owner of the premises, who shall be responsible for all water, sewer, and garbage service to said premises. (1990)

**4-3-4: PERMITS AND REPORTS.** It shall be unlawful for any person to make any extension of any pipe or connect any fixture to the water system for any purpose whatever without first obtaining a permit therefor from the Superintendent. All persons must, within 24 hours after the completion of any plumbing work connected with the water system, report the same to the Superintendent. (1971)

**4-3-5: FIXTURES AND FITTINGS USED IN WATER CONNECTIONS.** It shall be unlawful for any person to use any kind or size of fitting, pipe, stopcock, drawcock, or other equipment in connection with the water system, except the kind prescribed by the Water Department.

**4-3-6: OUTLETS AND SPRINKLERS.** It shall be unlawful to use such number of outlets simultaneously or to use such sprinklers or combination of sprinklers as the City Council shall by regulation specify when in the opinion of the Council their use will materially affect the pressure or supply of water in the City water system or any part thereof.

The Water Superintendent shall, after a determination that such improper use exists, notify the affected water user, or the owner of the premises whereon such use occurs, of such determination in writing and order such use discontinued and advise him that such continued usage constitutes a violation of this Chapter. (1971)

**4-3-7: PLACEMENT AND CONNECTION.** The manner of placing all pipes and fittings which are connected to the water system, the character of the surrounding area, the place and number of connections to the system and the qualifications of the persons performing such services shall be governed by regulations of the City relating to the protection of the water system. Failure to comply therewith shall constitute a violation of this Chapter.

**4-3-8: USE WITHOUT PAYMENT PROHIBITED.** It shall be unlawful for any person by himself, family, servants, or agents to utilize the City water system without paying therefor as herein provided, or without authority to open any stopcock, valve or other fixtures attached to the system or water supply, or to in any wise injure, deface, or

impair any part of the appurtenance of the water system or to cast anything into any reservoir tank belonging to said system. (1971)

- 4-3-9: TEMPORARY DISCONTINUANCE OF SERVICE.** Any user of the culinary water, sewer and garbage service may, on application to the City, have service to the premises discontinued on a temporary basis, provided that the premises will be vacant for a period of at least three months, and culinary water to the premises is turned off. If an applicant does not choose to have water turned off charges for service will continue. (1995)
- 4-3-10: DISCONTINUANCE OF SERVICE IF PAYMENT DELINQUENT.** The City shall mail a written statement to each user of the culinary and secondary water, garbage, and sewer service once each month or such other regular interval as the City Council shall direct. Said statement shall specify the amount of the bill for all such services used and the place of payment and date due. If any person fails to pay all of said charges within 30 days of the date due, the account will be designated as delinquent and the City Treasurer shall assess an interest charge on all delinquent amounts. Said interest rate shall be established by resolution of the City Council and shall not be less than the legal rate. The City Treasurer shall notify the water department and shall have authority to direct said department to shut off all water service to the premises involved. Before said water service to such premises shall again be provided, all delinquent water, sewer, and garbage charges shall be paid to the City Treasurer, together with the cost incurred by the City to shut off said water services, as well as the cost to resume service. This cost shall reflect the actual labor and equipment cost for said service as shall be established from time to time by resolution of the City Council. The Treasurer is hereby authorized and empowered to enforce the payment of all delinquent water service charges by an action at law in the corporate name of the City. (1995) (See Resolution R90-10)
- 4-3-11: TURNING ON WATER WITHOUT AUTHORIZATION.** It shall be unlawful for any person, after the water has been turned off from his premises on account of non-payment of rates or other violation of the rules and regulations pertaining to the water supply, to turn on or allow the water to be turned on or used or allow the water to be used without authority. (1995)
- 4-3-12: BOARD OF EQUALIZATION.** The City Council shall hereby constitute a Board of Equalization of water rates and fees, to hear complaints and make corrections of any assessments deemed to be illegal, unequal or unjust. The Board may, if it sees fit, rebate all or any part of the water, sewer, or garbage bill of any indigent person. (1990)
- 4-3-13: SCARCITY OF WATER.** In time of scarcity of water, whenever it shall in the judgement of the Mayor and the City Council be necessary, the Mayor shall by proclamation limit the use of water for other than domestic purposes to such extent as may be necessary for the public good. It shall be unlawful for any person by himself, family, servants or agents, to violate any proclamation made by the Mayor in pursuance of this section. (1995)
- 4-3-14: CITY TO HAVE FREE ACCESS.** Free access shall, at all ordinary hours, be allowed to the Superintendent of the Water Department or other authorized person to all places supplied with service from the water system to examine the apparatus, the amount of water used and the manner of use of service. Any water service user violating any of the rules and regulations controlling the water system shall forfeit all

payments made and the right to the use of said service. Such forfeiture shall not prevent prosecution by the City for the violation of an ordinance for which another penalty is imposed. (1995)

- 4-3-15: WATER METERS.** All structures, dwelling units and establishments using water from the City Water system must have such number of water meters connected to their water systems as are necessary in the judgment of the Superintendent to adequately measure use and determine water charges to the respective water users. Meters will be furnished by the City at the expense of the property holder, at rates established from time to time by regulations, and shall be under control of the Superintendent. In the event of a dispute between Superintendent and property owner as to the appropriate number of meters to be installed on any premises, the matter shall be heard and determined by the City Council after due notice in writing to the parties involved. The Superintendent shall cause meter readings to be taken regularly and shall advise the City Treasurer thereof for the purpose of recording the necessary billings for water service. (1995)
- 4-3-16: SEPARATE CONNECTIONS.** It shall be unlawful for two or more families or service users to be supplied from the same service pipe, connection, or water meter unless special permission for such combination usage has been granted by the Governing Body and the premises served are owned by the same owner. In all such cases, a failure on the part of any one of the users to comply with this Section shall warrant a withholding of a supply of water through the service connections until compliance or payment has been made, and in any event, the property owner shall be primarily liable to the City for all water services utilized on all such premises. Nothing herein shall be deemed to preclude the power of the City to require separate pipes, connections, or meters at a subsequent time. (1995)
- 4-3-17: TAKEN ONLY TO USE WATER.** It shall be unlawful for any water user to permit any person from other premises, or any unauthorized persons, to use or obtain water regularly from his premises or water fixtures, either outside or inside his building. (1995)
- 4-3-18: WASTE PROHIBITED.** It shall be unlawful for any water user to waste water, or to allow it to be wasted, by imperfect stops, taps, valves, leaky joints or pipes, or to allow tanks or watering troughs to leak or overflow, or to wastefully run water from hydrants, faucets, or stops or through basins, water closets, urinals, sinks, or other apparatus, or to use the water for purposes other than those for which he has paid, or to use water in violation of the rules and regulations for controlling the water supply. (1996)
- 4-3-19: STANDBY WATER SERVICE.** The Water Department may provide any person with a standby water line for the purpose of supplying him with water for fire or other emergency protection through a fire hydrant, fire sprinkler system or other emergency device. The rates charged for such service, the manner of installation and the circumstances under which water shall flow through such system other than during the fire or emergency shall be specified by regulation. (1995)
- 4-3-20: WATER FROM NON-METERED CONNECTIONS.** No water service shall be supplied to any private person through a fire hydrant, a connection designed primarily for the use of the City or other non-metered connection, except upon a special written temporary permit therefor issued by the Water Superintendent. Said water service may be supplied only temporarily for a period not to exceed 60 days. Such a permit may be extended for successive periods upon a showing that the necessity therefor continues without fault of the consumer.

Such service may be rendered only through facility and connections provided and connected by the Water Department and must be so designed and installed as to permit continued use of the fire hydrant or other connection for its primary purpose.

It shall be unlawful for any person to use any kind of fitting, stopcock, drawcock, or other equipment in connection with the water system, except the kind prescribed by the Water Department, or to tamper with or change the connection to any water meter. It shall also be unlawful for any person to open or take water from any fire hydrant in the City without first being authorized so to do by the Fire Chief or the Superintendent of the Water or Street Departments of the City. (1995)

**4-3-21:**        **NON-RECIRCULATING AIR CONDITIONING SYSTEMS.** Air conditioning systems or equipment which do not provide for the re-circulation of water used therein shall not be connected to the City water system. (1995)

**4-3-22:**        **EXTENSION OF WATER LINES WITHIN THE CITY.** All extensions of the culinary water lines along the public streets of Syracuse shall be made by and at the expense of the person, firm or corporation seeking such extension. All such extensions shall be made by a competent contractor or other person qualified to perform such work, and shall be under the supervision of the City and subject to inspection thereby. All such extensions shall be according to specifications approved by the City Council, and subject to such rules and regulations and to such provisions for repayment as the City shall from time to time adopt.

The City shall at all times be the owner of all such water line extensions from and after the date of acceptance thereof by the City Council, but shall not be liable for any damage caused in the installation thereof nor be responsible for the maintenance and operation thereof until said extension is accepted by the Council. (1995)

**4-3-23:**        **SUPPLY OF WATER TO PERSONS OUTSIDE CITY LIMITS.** The City may furnish surplus water from its water system at such rates as the City Council may determine to persons outside its corporate limits in accordance with the provisions of the following paragraphs:

Any person located outside the City limits and desiring to be supplied with water from the City water system and being willing to pay in advance the whole expense of extending the water system to his property, including the cost of extending the water main from its present location to the City limits, may make application to the City Council by a petition which is accompanied by a map showing the location thereof. Said person shall pay the whole expense incurred by the City in providing such extension and shall advance such expense as said expense shall be certified by the Water Superintendent, and shall acknowledge that such extension shall be the property of and subject to the control of the City.

Upon receipt of such petition and map and before the petition is granted, the City Council shall determine what portion, if any, of the extension the City shall construct, and shall obtain from the Water Superintendent a certified statement showing the whole cost and expense of making such extensions.

If the City Council shall grant said petition, before any work shall be done on such extension and within 30 days, or such other time as the Council shall indicate, after the granting thereof, the amount of the cost and expense of making such extension as certified by the Water Superintendent shall be deposited with the City Recorder. In the event that the actual cost and expenses of said extension exceed the certified

expense, such additional amount shall be paid to the City Recorder upon completion of the extension. (1995)

**4-3-24:**        **EXTENSIONS OUTSIDE CITY LIMITS MAY BE MASTER METERED.** When an extension supplying more than one house or user outside the City limits is connected to the City water mains, the Water Superintendent may require a master meter to be installed near the point where the connection is to be made to the City main. This installation will be at the expense of the persons serviced by such extension according to the regular rates for meter installation. Responsible parties must agree to pay all bills for water served through said meter at such rates as shall be determined by the City Council. In the event the City Council shall determine that no surplus of water exists, service to users outside the City limits may be restricted or discontinued as determined necessary by the City Council. (1995)

## CHAPTER 4

### IRRIGATION WATER AND NATURAL WATER COURSES

**4-4-1: Prohibited Uses of Non-Potable or Irrigation Water**

**4-4-2: Distribution of Non-Potable Water**

**4-4-3: Damming or Obstructing Water Course or Stream**

**4-4-4: Permit Necessary for Culvert or Other Obstruction**

**4-4-1: PROHIBITED USES OF NON-POTABLE OR IRRIGATION WATER.** It shall be unlawful for any person, firm or corporation to:

- (A) Use or cause to be used any untreated or non-potable water from a pressure irrigation system for other than irrigation purposes.
- (B) Interconnect or cause to be interconnected the potable and non-potable portions, distribution systems or service lines of dual water supplies or extensions thereof.
- (C) Install or cause to be installed in the same trench or trenches the distribution or service lines of potable and non-potable water.
- (D) Connect or cause to be connected a service line to any distribution system or main line carrying non-potable water without authority of the district, municipality, company or person having jurisdiction of the non-potable water without authority of the district, municipality, company, or person having jurisdiction of the non-potable water supply.
- (E) Extend or cause to be extended into any building a non-potable water supply system or service line.
- (F) Connect or cause to be connected to any fire hydrant, a non-potable water supply or service line.
- (G) Expose or cause to be exposed any portions of a non-potable water supply or extensions or service lines thereof without identifying the same by distinctive coloring or other suitable means sufficient to distinguish the same from potable water supply systems, extensions, or service lines.
- (H) Contaminate or cause to be contaminated any source of supply, distribution system, or service line furnishing or carrying non-potable water or potable water. (1971)

**4-4-2: DISTRIBUTION OF NON-POTABLE WATER.** All hydrants and sprinkling system control valves for the distribution of non-potable water shall be operated by a removable key, unless such valves are of the quick-coupling type, and all such keys and coupling valves shall be removed when said hydrant or sprinkling system is not in use. (1971)

**4-4-3: DAMAGING OR OBSTRUCTING WATER COURSE OR STREAM.** It shall be unlawful for any person to place, replace, or maintain any dam or other obstruction of

any kind in the channel of any natural or artificial water course or living stream within the limits of the City of Syracuse so as in any way to interfere with or impede the flowing of the water therein, without first obtaining a permit to do so from the City Council. (1971)

**4-4-4:** **PERMIT NECESSARY FOR CULVERT OR OTHER OBSTRUCTION.** Any person desiring any permit to build a dam or place a culvert or other obstruction in such water course or stream shall file with his petition plans and specifications for the construction of the same; and no such permit shall be issued until plans and specifications have the approval of the City Engineer or the City Council. 1971)

**CHAPTER 5**  
**CEMETERY REGULATIONS**

- 4-5-1: Definitions**
- 4-5-2: Name**
- 4-5-3: Cemeteries Covered**
- 4-5-4: Religious and Fraternal Preferences**
- 4-5-5: Burial of Indigences**
- 4-5-6: Decorum**
- 4-5-7: Fund Established, Deposits to**
- 4-5-8: Office of Sexton**
- 4-5-9: Cemetery Superintendency**
- 4-5-10: Additional Duties**
- 4-5-11: Openings of Graves**
- 4-5-12: Enforcement of Rules**
- 4-5-13: Treasurer's Duties**
- 4-5-14: Collection of Fees**
- 4-5-15: Rules and Regulations Booklet**
- 4-5-16: Sale Subject to Rules**
- 4-5-17: Care and Maintenance Reserved**
- 4-5-18: Restriction of Resale**
- 4-5-19: Sales of Lots and Perpetual Maintenance**
- 4-5-20: Maintenance, Perpetual Care, Forfeiture**
- 4-5-21: Sales Without Perpetual Care Prohibited**
- 4-5-22: Care Included**
- 4-5-23: Transfer of Title**
- 4-5-24: Abandonment**
- 4-5-25: Burials to be in Cemeteries**

- 4-5-26: Interments Prohibited**
- 4-5-27: Request for Burials**
- 4-5-28: Request for Disinterment**
- 4-5-29: Permit Required**
- 4-5-30: Vaults Required**
- 4-5-31: Placement of Markers**
- 4-5-32: Raised Markers**
- 4-5-33: Private Additions to Cemetery Grounds**
- 4-5-34: Defacing or Removing Shrubs or Markers**
- 4-5-35: Traffic Ordinances**
- 4-5-36: Driving Cars or Other Vehicles**
- 4-5-37: Animals Prohibited**
- 4-5-38: Children**
- 4-5-39: Cemetery Hours**
- 4-5-40: Penalty**
- 4-5-1: DEFINITIONS**

**PERSON:** The term "person" shall mean individual, group, partnership, firm, corporation, or association.

**SEXTON:** The term "sexton" shall mean the keeper of the Cemetery as appointed by the Mayor, with the advice and consent of the City Council, and whose duties are described within this Chapter.

**CEMETERY:** The term "Cemetery" shall mean any Cemetery owned and/or maintained by the City for the purpose of receiving the remains of deceased humans.

**LOT OR GRAVE OWNER OR PURCHASER:** The terms "Lot Owner" or "Purchaser" and "Grave Owner" or "Purchaser" are intended to mean and shall be construed to mean the owner or purchaser of burial rights, the owner or purchaser of a burial privilege, or the collateral right of use of any burial lot, evidenced by a Deed for Lot or by proven and recognized descent or devise from the original owner.

**RESIDENTS:** Any person currently residing within the incorporated limits of Syracuse City, or any person owning property within the incorporated limits of Syracuse City, or any person who resided within the incorporated limits of Syracuse City immediately prior to being placed in a health care institution.

**WORDS:** Single words shall include the plural and masculine words shall include the feminine and neuter.

LOT: The term "lot" shall include partial lots or single graves in the City Cemetery. (1990)

- 4-5-2: NAME:** The burial ground of Syracuse City shall be known and designated by the name of Syracuse City Cemetery.
- 4-5-3: CEMETERIES COVERED.** All cemeteries owned and/or maintained by the City, or which may hereafter be acquired by the City, wherever situated, are hereby declared subject to the provisions of this Chapter. (1990)
- 4-5-4: RELIGIOUS AND FRATERNAL PREFERENCES.** The City Council may contract with religious and fraternal organizations to designate a reasonable portion of any cemetery in which burials may be restricted to the members of such religious and fraternal organizations and their families. (1990)
- 4-5-5: BURIAL OF INDIGENTS.** The City Council may designate a portion of the City Cemetery for the burial of indigents. Whenever it is made to appear to the Mayor by proof submitted to him by the Treasurer that any person who had died does not have an estate sufficient to pay the purchase price of a lot in the City Cemetery, and the nearest relative or representative of such deceased person desires to have the body of such deceased interred in said Cemetery, the Mayor may grant burial space for such deceased person on the request made to him by the Treasurer. The Mayor shall communicate his decision to both the Treasurer and Sexton. The Mayor shall give report of his decision, whether affirmative or negative, to the City Council at their next regular meeting. All strangers without funds or other persons who die in the City may be accorded the privilege herein granted. (1990)
- 4-5-6: DECORUM.** Cemetery ground being sacredly devoted to the interment and repose of the dead, strict observance of decorum due such a place shall be required of all persons. (1990)
- 4-5-7: FUND ESTABLISHED, DEPOSITS TO.** The City shall not be required to establish and/or maintain a special cemetery fund covering funds previously established for care of cemeteries, including the proceeds from the sale of said lots or parts thereof, together with any other gifts, grants, devises, or bequests made for the purpose of assisting in the maintenance of cemeteries, but may deposit said funds into the General Fund of the City and expend the same as the City Council shall determine, subject only to the legal restrictions governing the expenditure of General Funds. In no event shall those funds or any amounts received by the City on account of annual or perpetual care and maintenance be considered Trust Funds. The designation of such fund shall be for the purpose, only, of enabling the City Council to determine to what extent cemetery receipts are sufficient to defray the costs of operation and maintenance of said Cemetery, but nothing herein contained shall prevent the City Council from expending revenues received from other sources for cemetery purposes, or from expending Cemetery Funds for other than cemetery operation and maintenance. (1990)
- 4-5-8: OFFICE OF SEXTON.** There is hereby created the office of City Sexton which office shall be filled by appointment of the Mayor, with the advice and consent of the City Council. 1990)
- 4-5-9: CEMETERY SUPERINTENDENCE.** The City Sexton, under the direction of the City Council, shall have entire control and superintendence of the City Cemetery, and shall perform or cause to be performed such other duties in relation to cemeteries as may

be hereafter provided by the laws of the State of Utah or by ordinance, order or resolution of the City Council.

The City Sexton is hereby authorized, with the approval of the City Council, to make and enforce other reasonable rules and regulations for the proper care and protection of the Cemetery not in conflict with the provisions of this Chapter. (1990)

**4-5-10:** **ADDITIONAL DUTIES.** The Sexton shall keep or cause to be kept in proper repair the enclosures about the said Cemetery and prevent its being entered by animals, and so far as practicable prevent the destruction or defacing of any tablet or marker placed or erected therein. He shall have charge of a duplicate plat of the Cemetery and shall, at the request of any person wishing to purchase the use of any of the lots or parts of lots for burial purposes, point out any of the lots or parts of lots unoccupied and for sale; and upon the disposal of use rights in any lots or parts thereof, shall notify the City Treasurer of the fact, whose duty it shall be to draw a deed, after payment of the lot price has been received in the City Treasury, which deed shall be presented to the Mayor for execution. (1990)

**4-5-11:** **OPENINGS OF GRAVES.** The Sexton shall open or cause to be opened without delay any graves in said Cemetery upon application to him being made by the City Treasurer or by any person having the right to make such application. The Sexton or his designee shall superintend every interment and shall cause the grave to be filled up and neatly trimmed immediately after depositing the coffin and shall cause to be filled up and trimmed all graves that have settled or may hereafter settle; he shall register the name, age, parentage and place of birth, if known, of each person buried therein, the place of his/her interment, the cause of death, and the name of attending physician or nurse.

It shall be the duty of the City Sexton to perform those duties required by law and this Chapter, and to cause the removal of floral pieces or displays left on any grave as he deems it necessary to the appearance of the Cemetery, but such floral pieces or displays shall not be removed sooner than five days after original placement except in emergency. (1990)

**4-5-12:** **ENFORCEMENT OF RULES.** It shall be the duty of the City Sexton to see that the owners of lots within the Cemetery obey all orders, rules and regulations made by the City Council in regard to the care of said lots and in regard to the erection of fences or other obstructions and to enforce all other regulations herein provided; he shall keep the streets, alleys, walks, and avenues in said Cemetery in good order and unobstructed, so that every access can be had to any lot; he shall cause a suitable marker to be erected or firmly set upon the northwest corner of each block with the number of the block inscribed thereon and he shall inform the owner of any lot, or relatives of deceased persons buried in any lot, of the requirement to place or cause to be placed a suitable marker with the name of the deceased plainly inscribed thereon upon the grave of every person interred therein within 30 days after such interment. Such marker is to be placed under the direction and supervision of the City Sexton and in the manner provided in this Chapter, and if any such person neglects to comply with this requirement, it shall be done by the Sexton at the expense of the person owning or burying in such lot. (1990)

**4-5-13:** **TREASURER'S DUTIES.** It shall be the duty of the City Treasurer to keep accurate records in accordance with established guidelines for municipal finance. 1990)

**4-5-14:** **COLLECTION OF FEES.** The City Treasurer is hereby authorized and required to collect in advance prices and/or fees for the opening and closing of graves which shall

include properly restoring and trimming such graves; for disinterring bodies and properly restoring the earth and grounds; for recording each burial, disinterment or removal, for raised monument privileges; and other services rendered as determined by the City Council by resolution as it from time to time deems reasonable and proper for that body to do so. (See Resolution R86-8) (1990)

- 4-5-15: RULES AND REGULATIONS BOOKLET.** The Mayor may from time to time, as the City Council deems necessary, direct the publishing of a booklet of rules and regulations for the convenience of purchasers of graves and lots within the City Cemetery. Such rules and regulations shall form a part of this Chapter after they have been adopted as official by resolution of the City Council. Any change in said rules and regulations shall be adopted by the Council before such change shall be official. (1990)
- 4-5-16: SALE SUBJECT TO RULES.** The use of every lot or single grave site sold is subject to the rules and regulations that may be hereafter adopted and to such changes of the present rules as are found necessary for the protection of lot owners and the remains of the dead, and any such sale shall cover the use of such lot or grave site for burial purposes only. 1990) (See Resolution R86-8)
- 4-5-17: CARE AND MAINTENANCE RESERVED.** The City reserves the right to enter upon any grave and to perform all work necessary for the care and upkeep of all lots and graves in said cemetery. (1990)
- 4-5-18: RESTRICTION OF RESALE.** No person who shall purchase the use of any grave site or lot for burial purposes within the City Cemetery shall sell such position or lot to any buyer except the City. The City hereby agrees to buy back any City Cemetery lot which it may hereafter sell. The current resident price of such site or lots at the time the sale is made to the City shall be the price which the City shall pay for any such position or lot resold to the City, except that in no event shall the price paid by the City be less than the price originally paid by the purchaser. (1990)
- 4-5-19: SALES OF LOTS AND PERPETUAL MAINTENANCE.** The City Sexton, City Treasurer and City Council are hereby empowered to sell the use of lots in the City Cemetery for burial purposes only and to collect all sums arising from such sales. All money so collected shall be remitted promptly to the City Treasurer. The City Council is hereby empowered to regulate by resolution or ordinance the selling price, size, use of lots, and the number of lots to be sold to any person or family. The Sexton shall deliver to each purchaser a certificate for each lot or part of lot showing a description thereof and stating the price paid therefor. Such certificate shall also provide that future perpetual care and maintenance have been paid for said lot. Said certificate shall be issued and signed by the Mayor and shall be attested by the City Recorder. The City Recorder shall keep duplicates of stubs of all certificates issued by him and the City Sexton as part of the records of his office. All rights in lots or parts of lots sold as in this Section provided, together with all improvements, except for water, future care and maintenance, and all lots for which payment has been made for future care and maintenance, shall be exempt from execution and from taxation and assessment for care and maintenance, from and after said payment. The payments mentioned in this Section shall not be construed to be in payment of any of the services described in other Sections of this Chapter. (1990)
- 4-5-20: MAINTENANCE, PERPETUAL CARE, FORFEITURE.** When any party or parties to whom the use of any lot or portion of a lot in the City Cemetery has been sold shall have failed to pay to the City Treasurer the full purchase price for the same, together

with the required sum for annual maintenance or perpetual keep thereof for a period of three years from the date of said sale and who, after the City Treasurer has mailed notice to the last known address of said party or parties, shall fail and refuse to pay the same within 30 days of the mailing of said notice, then and in that event said party or parties shall forfeit all rights and privileges to said property, save and except only such portions thereof as are actually used for the burial place of deceased persons. The City shall have the right to sell the unused portions of said lot or lots to compensate it for the upkeep of the parts used. (1990)

**4-5-21:** **SALES WITHOUT PERPETUAL CARE PROHIBITED.** The rates established by resolution for lots or fractions thereof, shall include perpetual care and no sales shall be made hereafter without providing perpetual care. (1990)

**4-5-22:** **CARE INCLUDED.** The essential perpetual care that the City agrees to give shall consist of care of the Cemetery generally, and shall include, but is not limited to, mowing of all lots and graves at reasonable intervals, also re-sodding, seeding and filling in sunken graves, sodding of the surface of the graves to the lot level, removing dead flowers, and trimming trees and shrubbery when necessary, raking and cleaning the lots and straightening of tilting stones or markers, but shall not include repair or replacement of markers or memorial structures of any nature, except when the need for repair or replacement is directly caused by the City. (1990)

**4-5-23:** **TRANSFER OF TITLE.** Where title to a purchased lot is to be transferred or reverts to the City, the original deed shall be cancelled and the record so corrected. A transfer fee, as set by resolution of the City Council, shall be paid to the City Treasurer for such service.

Whenever title to purchased lots reverts to the City, the original deeds shall be filed with the City Treasurer, and before new deeds are issued covering said property, the original deed shall be cancelled or a quit claim deed given and the record so changed. (1990)

**4-5-24:** **ABANDONMENT.** Any lot, parcel, or portions thereof, which have been abandoned by the owners thereof shall revert to the City and the City shall have the right to sell the use of such unused portions for burial purposes. Lots shall be considered abandoned by the city if it has conveyed cemetery lots or parcels by deed, with or without restrictions, and the grantee, or persons claiming through the grantee, for more than 60 years have not used portions of the lots or parcels for purposes of burial and have not provided for the care of the lots or parcels beyond that uniformly provided for all lots of the cemetery, and during the 60 year period have not given the municipality written notice of any claim or interest in the lot or parcels.

Before a lot or any portion thereof shall be deemed to have been abandoned, the City Council shall set a time and place for hearing to determine the question of abandonment and shall:

- (A) Cause a notice of the time and place of the hearing to be posted in a conspicuous place on the lot or portion thereof affected by said hearing at least 20 days prior to the date of the hearing.
- (B) Cause a notice of said hearing to be published in at least one issue of a newspaper having general circulation in the City, said publication being not more than 30 days nor less than 10 days prior to the date of said hearing.

- (C) Cause a notice to be sent by certified mail to the last known address of each of the owners or users of said lot or portion thereof as shown by the City's records at least 20 days prior to said hearing,

At such hearing the City Sexton and others having information concerning the use made of the lot or portions of lots by said owner or owners shall attend and present evidence as to such use or uses, and the recorded owner or owners of said lot and/or their heirs and descendants and all other persons appearing on their behalf may offer such evidence of use as may bear upon the question of abandonment. All proceedings shall be informal, and the City Council shall determine whether or not the lot or lots, or portions thereof, have been abandoned and shall cause a notice of its decision to be sent to those persons requesting the same and who appeared at such hearing. (1990)

- 4-5-25: BURIALS TO BE IN CEMETERIES.** It shall be unlawful to bury the body of any person within the limits of the City, except in public or private cemeteries located therein, unless by special permission of the City Council, under such rules and regulations as may be prescribed therefore. (1990)
- 4-5-26: INTERMENTS PROHIBITED.** There shall be no interment of anything other than the remains of human bodies in City Cemeteries and no interment of any deceased human shall be made in any other place than within cemeteries devoted to that purpose. (1990)
- 4-5-27: REQUEST FOR BURIALS.** The City Treasurer shall be the registrar of burials for the City, and before burying any dead in any City-owned Cemetery within the corporate limits of the City, the relatives or other persons having charge of said body shall be required to furnish in writing to said Treasurer, a statement of said death, which shall be recorded in a record kept for that purpose by said Treasurer. Such statement, as well as the record, shall include the name of the person deceased, when and where born, if known, the date of death and the cause thereof, together with the name of the attending physician, if any, coroner or mid-wife, also the date of burial as well as the name of the cemetery, with the initial letter of the plat as well as the number of the block or lot where said person is buried, and the place of destination if disinterred and transferred beyond the limits of the City Cemetery. (1990)
- 4-5-28: REQUEST FOR DISINTERMENT.** Before disinterring any remains of any person who has been buried within any City-owned cemetery, the relatives or other persons having charge of said remains shall be required to furnish in writing to said Treasurer, a request for disinterment which shall include the number of the block or lot where said person is buried, together with the name of the mortuary and those persons responsible for said disinterment. (1990)
- 4-5-29: PERMIT REQUIRED.** No interment or disinterment of any body shall be permitted unless made by a licensed funeral director. The City sexton shall not allow any interment or disinterment until such time as a permit has been obtained and necessary fees paid. Permit shall show the lot, block and plat as may be designated. (1990)
- 4-5-30: VAULTS REQUIRED.** No person shall be buried in the City Cemetery unless the casket shall be placed in a concrete, steel, or other vault approved by the City Sexton substantially constructed and covered with a substantial concrete or steel top or lid. Fiberglass vaults will be allowed for children only if prior written approval is given by

the City sexton. No wood shall be used in the construction of any part of any vault. (1990)

- 4-5-31: PLACEMENT OF MARKERS.** It shall be unlawful for any person to erect or place or cause to be placed any marker or markers on any lot in said Cemetery unless the same is placed on a good concrete foundation six inches deep or deeper, and such marker shall be placed or erected under the supervision of the City Sexton or his designee. The markers must be securely set with a cement strip not less than seven inches wide around such marker. There shall be no other monuments or other structures placed upon any lot or lots, except as provided in this Chapter. (1990)
- 4-5-32: RAISED MARKERS.** Any person desiring to place, or have placed, a raised marker shall obtain a permit from the City Sexton and pay such fees as may be established by resolution. (1990)
- 4-5-33: PRIVATE ADDITIONS TO CEMETERY GROUNDS.** It shall be unlawful for any person to erect or maintain any fence, corner post, coping, hedge, or boundary of any kind upon any lot or lots, streets, alleys, or walks in said Cemetery, or grade the ground or land thereof. The Sexton or his designee shall, whenever required, furnish the true lines of any lots according to official survey, and shall prevent and prohibit any marking of the same, save and except by official landmarks, and shall prevent and prohibit any grading thereof that might destroy or interfere with the general slope of the land. It shall be unlawful for any person to plant any shrubs, trees, lawns, etc., or place any monuments or markers upon any lot or lots in said Cemetery, without a written permit first had and obtained from the City Sexton, and unless the same is done under the direction and supervision of the City Sexton. Nothing in this section shall prohibit the planting, trees, shrubs, flowers, bushes, or installation of fences by the cemetery superintendent in his official capacity.(1990)
- 4-5-34: DEFACING OR REMOVING SHRUBS OR MARKERS.** No person shall injure, deface, take, or carry away from any grave or lot any monument, marker, tree, shrub, flower, ground or any other property or ornament in the City Cemetery except with written permission of the Cemetery Sexton, except that flowers not planted within any lot may be removed by the owner. (1990)
- 4-5-35: TRAFFIC ORDINANCES.** The provisions of the City Traffic Ordinances relative to the operation of vehicles and conduct of pedestrians shall be in effect in the City Cemetery, except as herein otherwise modified by this Chapter. (1990)
- 4-5-36: DRIVING CARS OR OTHER VEHICLES.** Driving on lots, backing over graves, cutting corners or speeding or driving on other than the lanes provided for traffic in the Cemetery is prohibited. (1990)
- 4-5-37: ANIMALS PROHIBITED.** No animals shall be allowed in any cemetery except in the confines of a vehicle and must at all times be retained within the confines of said vehicle while the vehicle remains in the cemetery (1990)
- 4-5-38: CHILDREN.** Children under the age of 12 years shall not be permitted in cemeteries unless accompanied by their parents or other adults, except for the purpose of attending authorized funerals or in the company of adults placing flowers on the grave of a deceased relative or friend or performing any other customary evidences of respect in accordance with their religious principles. (1990)

- 4-5-39:**        **CEMETERY HOURS.** No person shall visit the cemetery between the hours of one-half hour after sunset or one-half hour before sunrise without the previous consent of the City Sexton. (1990)
- 4-5-40:**        **PENALTY.** Violation of this section shall constitute a Class B Misdemeanor. (1990)

## CHAPTER 6

### PRESSURE IRRIGATION WATER SERVICE

- 4-6-1: Schedule of Rates and Charges
- 4-6-2: Connection Fees
- 4-6-3: Due Date of Service Charges
- 4-6-4: Due Date of Connection Fee
- 4-6-5: Application for Water Service
- 4-6-6: Permits and Reports
- 4-6-7: Regulations
- 4-6-8: Fixtures and Fittings used in Water Connections
- 4-6-9: Outlets and Sprinklers
- 4-6-10: Use Without Payment Prohibited
- 4-6-11: Discontinuance of Service if Payments Delinquent
- 4-6-12: Turning on Water Without Authorization
- 4-6-13: Taker Only to Use Water
- 4-6-14: Waste Prohibited

#### 4-6-1: SCHEDULE OF RATES AND CHARGES

Schedule A: A monthly rate for new home construction occupied during the months of November, December, January, February or March prior to the beginning of the first secondary water season after occupancy.

Schedule B: A monthly charge or payment for pressure irrigation water users with lot sizes up to 1.5 acres.

	Schedule A	Schedule B
1-inch line	\$ .00	\$12.30
¾ inch line	\$ .00	\$ 6.30

The pressure irrigation water service shall not be used to irrigate any lot size exceeding 1.5 acres or for any lot on which the principle building has not been constructed. (Ord. 02-15)

**4-6-2:** **CONNECTION FEES:** For every connection to the pressure irrigation water system the following fees shall be collected:

<u>Size of Connection</u>	<u>Connection Fee</u>
3/4"	\$300.00
1"	\$400.00

Any special connections shall have fees set by the City Council in each individual situation.

Any applicant for a pressure irrigation water connection on any lot or property abutting a street, alley, or other right-of-way containing a pressure irrigation line shall pay the full connection fee therefore. (Ord. 01-14)

**4-6-3:** **DUE DATE OF SERVICE CHARGES.** Payment of all rates and charges accruing under Section 4-6-1 shall be made to the City at the same time as payments are due and payable for culinary water service furnished by the City, and shall accrue for all pressure irrigation water services available after September 30, 1984, regardless of whether irrigation water or irrigation water distribution lines are then available to the properties so charged. (1984)

**4-6-4:** **DUE DATE OF CONNECTION FEE.** Payment for the water connections accruing under Section 4-6-2 shall be made in full prior to the connection to the pressure irrigation lines; provided, however, that upon signing of a Time Payment Agreement, the City may allow installment payments of the connection fee over a one-year period from the date of application for service. (1984) (See Resolution R89-13)

**4-6-5:** **APPLICATION FOR WATER SERVICE.** Any person desiring to secure pressure irrigation water when such service is available, shall apply therefrom to the City Recorder and file an agreement with the City which shall be in substantially the following form:

**WATER APPLICATION AND AGREEMENT**

Application is hereby made by the undersigned to Syracuse City for a pressure irrigation water connection for property owned by the undersigned and identified as \_\_\_\_\_

In making said Application the undersigned agrees:

1. That undersigned will pay a connection fee of \$\_\_\_\_\_ to the City upon approval of this Application, or in installments as determined by agreement with the City.
2. Undersigned will pay for all water and services afforded by the City at the lawfully established monthly rates as may from time to time be established by the City Council of Syracuse.
3. Undersigned will abide by and obey all lawful rules and regulations of the City which may be adopted from time to time.

4. Permission is hereby granted in consideration of accepting of this Application to the City and its agents, to enter the property of Applicant to install, maintain, and/or replace appurtenant works.

5. In the event undersigned becomes delinquent for more than 30 days in the payment of the monthly service charge, undersigned will pay the reasonable cost (whether suit is filed or not) of collecting the arrearages, including a reasonable attorney's fee, and also agrees that undersigned's pressure irrigation and culinary water service may both be discontinued until payment of such arrearages has been made.

Dated this \_\_\_\_\_ day of \_\_\_\_\_.

IN WITNESS WHEREOF, the undersigned has caused this Application and Agreement to be executed as of the day and year above written.

\_\_\_\_\_  
ACCEPTED: \_\_\_\_\_  
SYRACUSE CITY

By \_\_\_\_\_

When Applicant is not the actual owner but is merely buying served premises under Contract, or when the Applicant is a building contractor applying for new water service, claiming to be the owner of the property, the City may require a deposit in the amount of \$\_\_\_\_\_ to guarantee payment of all such water service.

Applications for water service to premises occupied by a tenant shall be made by the owner of the premises, who shall be responsible for payment of all water service thereto. (1984)

**4-6-6: PERMITS AND REPORTS.** It shall be unlawful for any person to make any extension of any pipe or connect any fixture to the pressure irrigation water system for any purpose whatsoever without first obtaining a permit therefrom from the Superintendent. All persons must, within 24 hours after the completion of any plumbing work connected with the water system, report the same to the Superintendent. (1984)

**4-6-7: REGULATIONS.** The City Council shall establish by Ordinance or Resolution such regulations controlling and governing the pressure irrigation water system of the City, the manner of making such connections, and other regulations as may be necessary for the operation of the water system. (1984)

**4-6-8: FIXTURES AND FITTINGS USED IN WATER CONNECTIONS.** It shall be unlawful for any person to use any kind or size of fitting, pipe, stopcock, drawcock, or other equipment in connection with the pressure irrigation water system, except the kind prescribed by the City Water Department. (1984)

**4-6-9: OUTLETS AND SPRINKLERS.** It shall be unlawful to use such number of outlets simultaneously or to use such sprinklers or combination of sprinklers as will materially affect the pressure or supply of water in the pressure irrigation system or any part thereof. (1984)

The Water Superintendent shall, after a determination that such improper use exists, notify the affected water user, or the owner of the premises whereon such use occurs, of such determination in writing and order such use discontinued and advise him that such continued usage constitutes a violation of this Chapter. (1984)

- 4-6-10: USE WITHOUT PAYMENT PROHIBITED.** It shall be unlawful for any person by himself, family, servants, or agents to utilize the City pressure irrigation water system without paying therefor as herein provided, or without authority to open any stopcock, valve, or other fixture attached to the system or water supply, or to in any way injure, deface, or impair any part or appurtenance of the system or to cast anything into any reservoir or tank belonging to said system. (1984)
- 4-6-11: DISCONTINUANCE OF SERVICE IF PAYMENTS DELINQUENT.** The City shall mail a written statement to each user of the pressure water service once each month, or at such other regular intervals as the City Council shall direct. Said statement shall specify the amount of the bill for the pressure irrigation water service used and the place of payment and date due. If any person fails to pay the charges within 30 days of the due date, the City shall so notify the Water Department and shall have authority to direct said Department to shut off all water service, both pressure irrigation and culinary, to the premises involved. Before said service to the premises shall again be provided, all delinquent water charges must be paid to the City Treasurer, together with such disconnection and re-connection charges as may be established by resolution of the City Council. The City is hereby authorized and empowered to enforce payment of all delinquent water service charges by an action at law in the corporate name of the City. (1990)
- 4-6-12: TURNING ON WATER WITHOUT AUTHORIZATION.** It shall be unlawful for any person, after the water has been turned off from his premises on account of non-payment of rates or other violation of the rules and regulations pertaining to the water supply, to turn on or allow the water to be turned on or used or allow the water to be used without authority. (1984)
- 4-6-13: TAKEN ONLY TO USE WATER.** It shall be unlawful for any water user to permit any person from other premises, or any unauthorized persons, to use or obtain water regularly from his premises or water fixtures. (1984)
- 4-6-14: WASTE PROHIBITED.** It shall be unlawful for any pressure irrigation water user to waste water, or to allow it to be wasted, by imperfect stops, taps, valves, leaky joints or pipes, or to allow tanks or watering troughs to leak or overflow, or to wastefully run water from hydrants, faucets, or stops, or other apparatus, or to use water in violation of the rules and regulations for controlling the water supply.(1984)

## CHAPTER 7

### CITY PARKS AND TRAILS

- 4-7-1: Parks and Trails Defined**  
**4-7-2: Authority to Establish**  
**4-7-3: Care of Parks and Parks Facilities**  
**4-7-4: Alcoholic Beverages, Drugs or Gambling**  
**4-7-5: Open fires**  
**4-7-6: Nuisances**  
**4-7-7: Motor Vehicles and Speed Limit**  
**4-7-8: Signs and Advertising**  
**4-7-9: Animals**

- 4-7-10: **Golf and Archery**
- 4-7-11 **Athletic Games**
- 4-7-12: **Personal Profit or Financial Gain**
- 4-7-13: **Hours of Closure**
- 4-7-14: **Park Availability**
- 4-7-15: **Entertainment and Similar Activities**
- 4-7-16: **Concessions**
- 4-7-17: **Park Reservations and Fees**
- 4-7-18: **Camping or Sleeping Overnight**
- 4-7-19: **Skatepark**
- 4-7-20: **Aquaculture Facilities**
- 4-7-21: **Trails**
- 4-7-23: **Equestrian Park**

**4-7-1: PARKS AND TRAILS DEFINED:** For purposes of this chapter, a "park" or "trail" shall be defined as real property owned, leased or controlled by the city and operated and maintained by the city, and set apart for the use of the general public, whether developed or undeveloped, and which is usually, or may be, planted with trees, lawns and other landscaping, and which may include within its boundary facilities for sports, entertainment, dancing, recreation, swimming or is planned for such future use. (2006)

**4-7-2: AUTHORITY TO ESTABLISH:** The City Council may establish such reasonable rules and regulations as may be necessary for the use, control, management and protection of the public parks, squares, playgrounds and other recreational facilities. (2006)

**4-7-3: CARE OF PARKS AND PARK FACILITIES**

- A. In any park owned or operated by the city, it shall be unlawful to cut, break, move, take or otherwise injure, destroy or deface any trees, shrubs, plants, turf, rock or any building, fence, bridge, sign or other structure, or pollute any spring or stream. (2006)
- B. No person shall dump any earth, rubbish or other substance or material in or upon any park without written permission from the City. (2006)
- C. No person shall throw or deposit litter in any park within the City except in public receptacles and in such a manner that the litter will be prevented from being carried or deposited by the elements upon any part of the park or upon any street or other public place. Where public receptacles are not provided, all such litter shall be carried away from the park by the persons responsible for its presence and property disposed of elsewhere. (2006)
- D. All persons and groups reserving park facilities shall leave the park clean and in good repair. Persons violating this section may be barred from further reservation of the facilities, at the discretion of the city council. (2006)
- E. It shall be unlawful to scratch, cut, injure or deface any of the buildings, fences, structures or other property or pollute any of the fountains, ponds or any other improvements; or to cut or injure flowers or flowerbeds within a park; to walk upon turf or seeded areas where posted; or for the owner of any dog to allow the same to run at large within the parks. (2006)

- 4-7-4: ALCOHOLIC BEVERAGES, DRUGS OR GAMBLING:** The sale, consumption or possession of intoxicating liquors or beverages and dangerous or narcotic drugs, or gambling of any kind, is prohibited in all parks and on all trails. (2006)
- 4-7-5: OPEN FIRES:** No person shall make or kindle any open fire except in designated fireplaces, fire pits, and grills provided for this purpose or in private portable commercially manufactured grills. Grills provided for public use shall be on a first come, first served basis. After use, all coals shall be drowned, cooled and removed from the park. (2006)
- 4-7-6: NUISANCES:** It shall be unlawful for any person to use threatening, abusive, insulting or indecent language; to commit any obscene or indecent act; to fight; or to create a public disturbance or nuisance in any park. Any person who loiters in a park under the influence of alcohol or drugs or who otherwise disturbs the peace of park users by begging, soliciting, making undue noise or engaging in disruptive activities shall be deemed to create a nuisance. (2006)
- It is unlawful for any person or persons to create any nuisance or commit any offense that is in violation of state law or city ordinance or fail to obey the lawful directives and/or orders from any law enforcement officer or their designated city official. (2006)
- 4-7-7: MOTOR VEHICLES AND SPEED LIMIT:** No person shall ride in or drive any motor vehicle upon any park land except upon roads, parking areas or other hard-surfaced areas designated for motor vehicle operation. This shall not apply, however, to motorized equipment used within the park by officers or employees of the city, the Department of Wildlife Resources, or other county or state agency in the performance of their official duties. It is prohibited for any person to commit any act, by use or operation of any motor vehicle on any park land, which if committed upon a public highway or street in the state, would be prohibited and unlawful. (2006)
- A Speed Limit: Speed limits within all parks shall be fifteen (15) miles per hour unless otherwise posted. (2006)
- B Manner of Operation: No motor vehicles shall be operated in a careless or reckless manner to such an extent that it will endanger the peace, health and safety of any other person or animal within the park area. (2006)
- C Parking: There shall be no parking at any time except in areas designated for such purposes. Abandoned vehicles shall be towed at owner's expense. No one shall test or repair any vehicle or mechanical device in any park. (2006)
- 4-7-8: SIGNS AND ADVERTISING:**
- (A) Regulatory Signs: Where signs have been posted under the direction of city officials on any city owned or city leased property regulating walking, entertainment, sports, use of vehicles, parking, instructions as to animals, fishing, swimming or containing other regulatory information, it is unlawful for any person to violate the provisions of such regulatory signs. (2006)
- (B) Other Signs and Advertising: No person shall, without written permission of the parks' superintendent, erect, paint, paste or otherwise affix or distribute any signs, advertisements or circulars on park property. The sale of anything or the solicitation of funds or donations within any park is forbidden, except upon written permission from the City. (2006)

**4-7-9:** **ANIMALS:** Except in the City's Equestrian Park, Horses, cattle, and livestock of any kind are prohibited in any park. Domestic animals, i.e., dogs, cats, on a leash no more than six feet (6') in length and under the control of a person may be brought into parks. It is unlawful for any person to hitch or fasten any animal to any tree, shrub, fountain, monument, lamppost or any other ornament growing or situated in any public street, public park or place within the corporate limits of the City. It is unlawful for any person to allow any animal under his control to stand near enough to any such trees or shrubs to bite, rub against or otherwise injure the same. (2006)

No Person shall annoy, interfere with, injure, release from confinement, or abandon any fowl, or animal, wild or domestic, in a city park or on a trail. (2006)

No person shall, in any park, set a trap or snare, or shoot, injure, or poison any wild animal or bird, or injure or destroy any nest except as authorized by an animal regulatory officer. (2006)

**4-7-10:** **GOLF AND ARCHERY:** Practicing, playing or using public park areas for golf and archery is prohibited. (2006)

**4-7-11:** **ATHLETIC GAMES:** Permits are required for using city parks for organized athletic events. Permits will be issued by the City and shall not interfere with City sponsored athletics or other events. A valid permit shall be displayed upon request in order to avoid conflicts in the use of facilities. Persons failing to honor a valid permit may be denied future permits to use the facilities. (2006)

**4-7-12:** **PERSONAL PROFIT OR FINANCIAL GAIN:** Reservations for park areas or facilities shall not be granted for personal profit or financial gain without written permission from the City. (2006)

**4-7-13:** **HOURS OF CLOSURE:**

A It shall be unlawful for any person, minor or adult, to be on any city park, parking lot or sidewalk within park boundaries during the hours of twelve o'clock (12:00) midnight and five o'clock (5:00) a.m. except as otherwise posted. The city shall reserve the right to lock any gate or chain any door offering access to any park, facility or building in order to restrict nighttime usage thereof. (2006)

B This Section does not apply to the following:

(1) An individual or group involved in a city-sponsored activity where a city employee or an agent of the city is present. (2006)

(2) In any areas that may be designated for overnight camping, provided those camping possess a permit therefore. (2006)

(3) By written permit; provided, that the possessor of the permit strictly complies with the requirements therein. (2006)

C The city administrator or his designee may temporarily close or curtail activities upon any lands or waters, or any portions thereof, when it has been deemed to be in the best interest of public safety, conduct, health or order. (2006)

**4-7-14:** **PARK AVAILABILITY:** Park facilities may be reserved for use any day between April 15 and October 15. The city reserves the right to withhold reservations for

any given day during the period of availability for any City sponsored event or if the city determines there is necessary maintenance, cleanup, repair, or other work of an extraordinary nature that needs to be performed on any city park facility. (2006)

**4-7-15: ENTERTAINMENT AND SIMILAR ACTIVITIES:** No entertainment, demonstration, exhibition, meeting, concert or tournament, whether public or private, shall be given in any park without having obtained the written permission from the City. (2006)

**4-7-16: CONCESSIONS:** No person may sell food, drinks, or other items in the park, except as may be permitted by special contract approved by the city. (2006)

**4-7-17: PARK RESERVATIONS AND FEES.** In general, park usage is available on “first come, first served” basis. Planned events in which a reservation for park usage has been obtained shall have priority over events or uses that have not obtained a park reservation. (2006)

- (A) Reservations: Application for reservation of park amenities may be made at the city office. (2006)
- (B) Fees: A fee set by resolution shall be charged and collected at the time of reservation. (2006)
- (C) Keys: Keys to reserved park facilities may be picked up at the city offices on the last working day prior to the date of the reservation and returned on the first working day thereafter. A deposit shall be required and shall be forfeited if the key is lost or damaged. No such key shall be duplicated except by authorized city personnel. (2006)

**4-7-18: CAMPING OR SLEEPING OVERNIGHT:** Camping or sleeping overnight in city parks is prohibited without first obtaining a permit from the City. (2006)

**4-7-19: SKATEPARK:**

- (A) In any skatepark facility owned or operated by the city of Syracuse, the use of bicycles of any type, scooters, similar devices, and motorized vehicles are prohibited. (2006)
- (B) Persons riding a skateboard, or using roller skates, or in-line skates in a skatepark facility owned or operated by the city shall, without city supervision, skate at their own risk. The use of safety equipment including helmets, kneepads, elbow pads, and wrist guards is strongly recommended. (2006)
- (C) Any person riding a skateboard, roller skates, or in-line skates in the facility shall exercise extreme caution, respecting the use of the facility by other skaters, and complying with all other city ordinances pertaining to public peace, morals, and welfare. (2006)
- (D) It is unlawful for any obstacles, including ramps, rails, or similar equipment or material not constructed as part of the skatepark to be on the premises including, but not limited to, parking lots, sidewalks, grass areas, spectator areas, or other city property. (2006)
- (E) It is unlawful for any user or spectator to not report any damage or hazardous condition to the city. (2006)

- (F) It is unlawful for any person to organize events at the skatepark facility without prior written approval from the director of parks and recreation or his designee. The city reserves the right to organize, promote, sponsor, and rent the facility for special events and may preempt other scheduled events at its own discretion if necessary. (2006)
- (G) It is unlawful for any person to skate in the skatepark before dawn and after dusk on any day. The facility shall be open to the public dawn to dusk unless otherwise posted. The operating schedule of the facility may be curtailed at the discretion of the city for inclement weather, special events, unforeseeable circumstances, or for repairs to the skatepark. (2006)
- (H) Any person who fails or refuses to comply with the provisions of this section and who is injured while using the skatepark facility shall be deemed negligent. (2006)
- (I) Any person failing to comply with the above stated rules and regulations is guilty of an infraction and subject to citation. (2006)

**4-7-20: AQUACULTURE FACILITIES:**

A Fishing: The use of any park with aquaculture facilities for the purpose of fishing must be in compliance with Title 23 of Utah Code Annotated (wildlife resources code of Utah), the rules and proclamations promulgated thereunder, orders issued pursuant thereto, and the provisions of this section. (2006)

(1) Ice Skating and/or ice fishing shall not be allowed on any lake, pond, reservoir or stream within an aquaculture facility. (2006)

B Swimming: Except by special permit issued by the City Council, no person shall swim, bathe or wade in the waters of any fountain, pond, lake or stream not set aside for the purpose of swimming, bathing or wading or pollute the waters of any fountain, pond, lake, reservoir, or stream in any public park or playground. Domesticated animals are prohibited from swimming in any city park aquatic facility. (2006)

This section shall not apply to rescue efforts or the care and maintenance of aquaculture facilities. (2006)

C Floatation Devices: Motorized Boats or Floatation Devices: No person shall ride in or drive any motorized boat upon any lake, pond or stream within said aquaculture facilities. This shall not apply, however, to motorized boats used within the park by officers or employees of the City or of the Department of Wildlife Resources in the performance of their official duties in the care and clean-up of the facilities. Self propelled boats, which are limited to small row boats (12 feet or less), float tubes, kick boats (pontoon boats), kayaks, paddle boats, and canoes will be allowed within said aquaculture facilities. In accordance with Utah Law, all boats are required to have at least one Type 1, 2, 3, or 5 U.S. Coast Guard approved personal floatation device (life jacket) of proper size, in serviceable condition, and each person aboard any boat shall wear a personal floatation device at all times. All personal floatation devices must be used in accordance with the age, weight, activity, and use restrictions listed on the U.S. Coast Guard approval label. (2006)

D Model Boating: No person shall engage in model boating in, on or upon the waters of any aquaculture facility in the city of Syracuse. (2006)

E Aquatic Animals: No person is to put in or around any lake, pond or stream any type of non-native or domesticated fish, frog, or any other kind of amphibian or aquatic animal including, but not limited to, goldfish, frogs, lizards, snakes, etc. (2006)

**4-7-21:**

**TRAILS:** Trails may be established along specified corridors within the city from time to time by the city council designating areas as such trails. After initial establishment of any trail, the city council shall thereafter have the right to terminate such areas as trails upon majority of vote of the city council. (2006)

Designated trails located within the city shall be maintained by the city. Such maintenance shall include mowing, watering and providing general maintenance to vegetation and facilities located within the designated trail areas pursuant to a maintenance plan and schedule determined by the city. (2006)

Trails established for pedestrian and non-motorized vehicle usage shall generally be subject to all parks regulations. To ensure the safety and enjoyment of citizen usage, protection of wildlife, and of the natural resources, the following restrictions shall apply to all trails within the City. (2006)

A. No horses or other equestrian animals shall be allowed on any pedestrian trail. All dogs, cats or other pets shall be on leash no longer than six (6) feet long. (2006)

B. No motorized vehicles shall be allowed except for medical and regulatory agencies, i.e., police, animal control, maintenance and construction vehicles approved by the City. (2006)

C. No Consumption of alcoholic beverages and/or drug usage, possession, or sale shall be allowed on any trail. It is forbidden to operate a bicycle under the influence of drugs or alcohol on any trail. (2006)

D. No discharging, transporting, or possession of weapons shall be allowed on any trail except by regulatory agencies. (2006)

E. Cyclists riding two abreast shall not impede the normal movement of trail pedestrians and shall be subject to riding within a single lane. Cyclists shall maintain a safe speed along trails and shall be able to stop bicycles within 25 feet from a speed of 10 miles per hour on dry, level, clean pavement. Persons riding bicycles, skateboards, and roller blades shall yield to pedestrians. (2006)

F. No marking, disfiguring, or tampering with the trail surface or its surrounding area shall be permitted without consent from the City. (2006)

G. All trail users shall obey Trail signs posted. No individual shall post signs upon any trail. (2006)

H. No trail user shall, under any circumstance, be permitted to impede or obstruct a trail right-of-way. (2006)

**4-7-22:**

**EQUESTRIAN PARK:** The City's Equestrian Park shall be used mainly for activities involving horses and other domesticated animals. The City shall govern the use of the Equestrian Park and may prohibit specific activity uses. In

addition to regulations for all parks generally, the following regulations shall be enforced at the Equestrian park: (2006)

- A. The park may be used on a “first come, first served” basis unless prior reservations have been approved by an individual or group at the City Office. (2006)
- B. Users of the Equestrian park shall assume full liability for injury or damages of any nature that may occur to animals, people or property while using the Equestrian Park and shall hold the City harmless from any and all incidents, injuries, damages or occurrences that may arise out of the use of the rodeo grounds, the conduct of users agents, employees or members of users organizations, the presence, movement or operation of users vehicles and/or trailers, and the animals present at the rodeo arena. (2006)
- C. Users of the park shall not keep, maintain, or leave any personal property at the Park without the written consent of the City, and without paying additional fees as established by the City Council. (2006)
- D. No animals shall be allowed to run free outside of the Equestrian Park boundaries. (2006)
- E. As with all other parks, possession, sale, or consumption of alcoholic beverages and dangerous or narcotic drugs, or gambling of any kind, is prohibited at the Equestrian Park. (2006)
- F. Use of the Park for Demolition Derbies is prohibited. (2006)

## **CHAPTER 8**

### **SYRACUSE CITY COMMUNITY CENTER**

<b>4-8-1:</b>	<b>Hours of Operation</b>
<b>4-8-2:</b>	<b>Center Availability</b>
<b>4-8-3:</b>	<b>Building Membership Fees</b>
<b>4-8-4:</b>	<b>Building Usage</b>
<b>4-8-5:</b>	<b>Building Rental and Fees</b>
<b>4-8-6:</b>	<b>Alcoholic Beverages, Drugs or Gambling</b>
<b>4-8-7:</b>	<b>Nuisances</b>
<b>4-8-8:</b>	<b>Safety and Security</b>
<b>4-8-9:</b>	<b>Lost and Found Policy</b>
<b>4-8-10</b>	<b>Gymnasium Policies</b>
<b>4-8-11</b>	<b>Indoor Track Policies</b>
<b>4-8-12</b>	<b>Arts and Crafts Room Policies</b>

**4-8-1**      **Hours of Operations:** The Syracuse City Community Center shall be open to the public as follows:

Monday through Thursday – 6:00 a.m. to 10:00 p.m.

Friday – 6:00 a.m. to 8:00 p.m.

Saturday – 8:00 a.m. to 8:00 p.m.

Operating hours are established by the Syracuse City Community Center Management and are subject to change. At any time during which the building, or certain areas of the building, will be closed during regular operating hours,

prior notices must be posted to inform patrons. The Community Center will be closed on Major Holidays (i.e. Thanksgiving, Christmas Day, New Years Day, etc.). (2006)

**4-8-2 Center Availability:** The City reserves the right to withhold reservations for any given day during the period of availability for any City sponsored event or if the City determines there is necessary maintenance, cleanup, repair, or other work of an extraordinary nature that needs to be performed at the Community Center. (2006)

**4-8-3 Building Membership Fees:** The following fee schedule shall be applicable to all patrons of the Syracuse City Community Center: (2006)

<b>Syracuse Resident</b>	<b>Day Pass</b>	<b>Monthly Pass</b>	<b>Yearly Pass</b>
Child (5-13)	\$.50	\$4.00	\$35.00
Youth (14-17)	\$1.00	\$10.00	\$75.00
Adult (18-59)	\$2.00	\$15.00	\$100.00
Adult Couple	N/A	\$25.00	\$175.00
Senior (60 +)	\$.50	\$4.00	\$35.00
Senior Couple	N/A	\$6.00	\$55.00
Family Pass	N/A	\$50.00	\$250.00

<b>Non-Resident</b>	<b>Day Pass</b>	<b>Monthly Pass</b>	<b>Yearly Pass</b>
Child (5-13)	\$.50	\$7.00	\$60.00
Youth (14-17)	\$1.00	\$15.00	\$100.00
Adult (18-59)	\$2.00	\$ 25.00	\$180.00
Adult Couple	N/A	\$ 45.00	\$300.00
Senior (60 +)	\$.50	\$7.00	\$60.00
Senior Couple	N/A	\$10.00	\$100.00
Family Pass	N/A	\$75.00	\$400.00

- A. Use of the Indoor Track, Gyms, and Equipment room are included in the daily admission and annual membership fees. (2006)
- B. A family is defined as two adults and any dependent children living in the same household. The children must be dependents on your tax return. (2006)
- C. Employees and immediate family members of Syracuse City will be admitted into the Community Center free of charge. (2006)

**4-8-4: Building Usage:**

- A. All pass holders will be identified by wearing wristband/stamp will be given to those patrons that will be using the gyms, equipment room, and/or track. If anyone is seen using these areas without the proper wristband, they will be asked to leave, or check in at the reception desk. (2006)
- B. Passes do not replace any required registration fees for special classes and events held in the Syracuse Community Center. Spectators attending recreation events (i.e. Jr. Jazz games) may not use the facilities themselves unless they have a pass. (2006)

- C. There will be times when regular use of the Community Center will be closed to the public. This may be during holidays, special events, Syracuse Recreation programs, or times during which the gyms have been rented by outside parties. At any time when the gym(s) are closed during regular hours, the holder of this pass is not allowed regular usage of the Community Center. Notices will be posted prior to these times. (2006)
- D. Patrons under the age of 14 must be accompanied by an adult when using the track and/or gym(s), unless participating in a specific event or activity designed for a younger age group (i.e. Jr. Jazz, special events). (2006)
- E. No strollers will be allowed on the track. (2006)
- F. Use of any net equipment (volleyball, tennis, badminton) must first be scheduled for set up. (2006)

**4-8-4**

**Building Rental and Fees:** Any person/group may rent the Syracuse Community Center under the following conditions. (2006)

- A. Must schedule for an available date, and be willing to sign a building rental agreement form. (2006)
- B. Must pay a deposit at time of scheduling. Deposit is refundable if facility is left clean and undamaged. (2006)
- C. Must pay the lesser between the hourly rate and daily fee. (2006)
- D. All events/activities must be legal and be in conformance with all Syracuse City Ordinances. (2006)
- E. The following fee schedule shall be applicable to patrons wishing to reserve an area of the Community Center. (2006)

**Gymnasium**

	<b>Deposit</b>	<b>Fee per hour</b>	<b>Fee per entire day</b>
<b>Resident</b>	100.00	50.00	500.00
<b>Non-Resident</b>	100.00	100.00	800.00

- a. This fee will be assessed for each gym used. (2006)
- b. Only one gym will be available to rent, unless being used for a sporting event. (2006)

**Classroom/Arts Crafts Room**

	<b>Deposit</b>	<b>Fee per hour</b>	<b>Fee per entire day</b>
<b>Resident</b>	50.00	20.00	160.00
<b>Non-Resident</b>	50.00	40.00	280.00

**4-8-5**

**Alcoholic Beverages, Drugs or Gambling:** The sale, consumption or possession of intoxicating liquors or beverages and dangerous or narcotic drugs, or gambling of any kind, is prohibited in the Community Center. (2006)

**4-8-6 Nuisances:** It shall be unlawful for any person to use threatening, abusive, insulting or indecent language; to commit any obscene or indecent act; to fight; or to create a public disturbance or nuisance in any park. Any person who loiters in a park under the influence of alcohol or drugs or who otherwise disturbs the peace of Center users by begging, soliciting, making undue noise or engaging in disruptive activities shall be deemed to create a nuisance. (2006)

**4-8-7 Safety and Security:**

- A. During any building rental, at least one Syracuse City Employee will be present in case of any emergency. (2006)
- B. Employee training: All Syracuse City Employees (exception: seasonal and part-timers who are not in supervisory positions such as officials and scorekeepers) who will be working in the Syracuse Community Center must receive training in and/or be certified in the following. (2006)
  - a. First aid/CPR
  - b. Blood borne Pathogen exposure control
  - c. Proper evacuation of the building
  - d. How to safely set up and use equipment in the building (i.e. baskets, volleyball, badminton, and tennis nets, etc.)

**4-8-8 Lost and Found Policy:** Syracuse Community Center and/or Employees will not be responsible for any personal property lost or stolen, or missing from any part of the facility. Lost items, which are found by Center personnel or guests, should be turned into the front desk area of the Center. The Director will hold the item or items for 30 days, after which time unclaimed items may be taken to a nonprofit organization. (2006)

**4-8-9 Gymnasium Policies:**

- A. All membership holders must check in at the front desk and obtain a wristband/stamp prior to entering the gymnasium. (2006)
- B. Hanging on basketball rims is prohibited. (2006)
- C. Wear only shoes that do not mark the gym floor. (2006)
- D. Only capped, spill-proof water bottles are allowed. No gum, food or other drinks. (2006)
- E. Offensive language or behavior, roughhousing and fighting will not be tolerated. (2006)
- F. Syracuse Community Center reserves the right to change the schedule in the gymnasium as programs dictate. (2006)
- G. Patrons found to be in violation of any of the above mentioned rules may be asked to leave the Center and may have their privileges revoked. (2006)

**4-8-10 Indoor Track Policies:**

- A. All membership holders must check in at the front desk and obtain a wristband/stamp prior to entering the indoor track. (2006)
- B. This area is for those 14 years and older to walk/jog. Youth under 14 years of age may use the track only in a supervised environment with an adult 18 years of age or older. (2006)
- C. Offensive language or behavior, roughhousing and fighting will not be tolerated. (2006)
- D. Runners will use the outside of the track. Walkers and slower joggers will use the inside lanes of the track. (2006)
- E. Shoes and shirt are required. (2006)
- F. Cleats are not allowed on the track. (2006)
- G. Any person on the track must be participating in walking/jogging. No spectators or standing on the track is allowed. (2006)
- H. No food or open containers are allowed on the track. (2006)
- I. No gum or spitting allowed. (2006)
- J. No roller blades, strollers, etc. (2006)
- K. Patrons found to be in violation of any of the above mentioned rules may be asked to leave the Center and may have their privileges revoked. (2006)

**4-8-11**

**Arts and Crafts Room Policies:**

- A. Craft room supplies may be used only with the supervision of Community Center Staff and/or authorized volunteers. (2006)
- B. Washer and Dryer are to be operated by authorized personnel only. (2006)
- C. The emergency phone is to be used only in the case of an emergency. (2006)
- D. Patrons found to be in violation of any of the above mentioned rules may be asked to leave the Center and may have their privileges revoked. (2006)