

PUBLIC HEARING

APRIL 7, 1986

PRESENT

Ruth Hansen	Mayor
Craig Greathouse	Council Member
Don Dafoe	Council Member
David Church	Council Member
Neil Dutson	Council Member
Gayle Bunker	Council Member

ABSENT

None

OTHERS PRESENT

Jim Allan	City Manager
Dorothy Jeffery	City Recorder
Warren Peterson	City Attorney
John Quick	City Engineer
Susan Callister	Deputy Recorder
Virginia Taylor	City Secretary
Bryce Ashby	Delta Fire Chief
H. Doyle Bender	Delta Treasurer
Kathy Storch	City Resident
Yuma Storch	City Resident
Shane Storch	City Resident
Paul Farthing	City Resident
Kate Farthing	City Resident
Nellie Rae Leavitt	City Resident
Arnold C. Leavitt	City Resident
Edith Anderson	City Resident
Lily Dawson	City Resident
E. Hale Jeffery	City Resident

Mayor Ruth Hansen called the meeting to order at 6:30 p.m. Dorothy Jeffery, City Recorder, acted as secretary. Mayor Hansen read the following notice:

NOTICE, is hereby given that the Delta City Council has scheduled a Public Hearing for the purpose of receiving public comment regarding a proposed Abandoned Vehicle Ordinance, Monday April 7, 1986, at the City Building located at 76 North 200 West, Delta, Utah, which meeting shall begin promptly at 6:30 p.m.

Mayor Ruth Hansen asked Attorney Peterson to address the Council regarding the proposed abandoned vehicle and Utah Traffic Code ordinance entitled:

ORDINANCE NO. 86-

AN ORDINANCE AMENDING THE REVISED ORDINANCES OF DELTA CITY (1981 EDITION), AS AMENDED, TO PROVIDE FOR REPEAL OF THE PRESENT SECTIONS 10-331 and 11-321.A. AND ADOPTION OF A REVISED SECTION 10-331, BY ADOPTION OF SECTION 10-335 TO PROVIDE FOR STORAGE OF ABANDONED VEHICLES ON PRIVATE PROPERTY, AMENDING SECTION 11-321 TO PROVIDE FOR ADOPTION OF THE UTAH TRAFFIC CODE, 1983 EDITION, AND PROVIDING AN EFFECTIVE DATE FOR SAID AMENDMENTS.

Attorney Peterson reviewed the proposed ordinance in detail with those present. During review of the proposed ordinance, Council Member Don Dafoe asked why type of enforcement would be allowed under the ordinance. Attorney Peterson said that the following procedures could be used in enforcement of the ordinance on private property:

1. Initiation of criminal prosecution against a person violating this ordinance.
2. Abatement of nuisance through removing vehicles or other junk charging that cost back to the property owner.

He said informal enforcement procedures such as personal contact or notice letters were not excluded, and should be considered before formal action was taken.

Attorney Peterson responded to questions from the Council and from those in attendance regarding the proposed ordinance.

Mr. Arnold Leavitt asked, "If the criminal approach is used, would there have to be a complaint signed and would someone have to come in as a witness?"

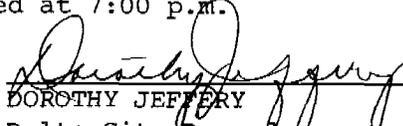
Attorney Peterson said that the Police Department could inspect the property and determine if a nuisance exists and then proceed without having a signed complaint, although signed complaints are often helpful.

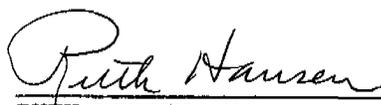
The main concern of the public in attendance was that the City enforce the proposed ordinance if it is adopted.

A large majority of those in attendance said they favor the proposed ordinance and will support the City Council in enforcing the ordinance.

Mayor Hansen asked if there were any further questions or comments regarding the proposed ordinance. There being none, she declared the meeting adjourned at 7:00 p.m.

Attest:


DOROTHY JEFFERY
Delta City Recorder


RUTH HANSEN, Mayor

MINUTES APPROVED: April 21, 1986