

REVISED ORDINANCES

OF

PARK CITY

STATE OF UTAH

1949

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INCLUDING

ALL THE ORDINANCES OF A GENERAL NATURE

TOGETHER WITH

NAMES OF CITY OFFICERS AND RULES

AND ORDER OF BUSINESS

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Revised, compiled and prepared by

LAFAYETTE F. ANDERSON

Under Authority of

The Mayor and City Council

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CITY OFFICERS

1940-1941

Mayor:

EARLE W. RESEIGH

Councilmen:

MELVIN KIDDER

S. A. OLSON

EMMETT E. BROOKS

CLEMENTS HANSEN

HILDING SUNDQUIST

Recorder:

EDWIN A. THOMPSON

Treasurer:

ALICE TERRY

## CHAPTER I

## ANIMALS

SECTION 1. ABANDONING AND SELLING SICK AND DISABLED ANIMALS.  
DOCKING HORSES TAILS. LEAVING ON STREET MORE THAN  
FIVE HOURS.

It shall be unlawful for any person to abandon or turn out at large any sick diseased or disabled animal; but such animal shall, when rendered worthless by reason of sickness or other disability, be killed by the owner thereof and disposed of as provided by these ordinances for the disposition of dead animals within the city limits. It shall be the duty of police officers to kill or dispose of any animals found running at large within the city limits, or which may be impounded in the estray pounds of this city, which are worthless from sickness, disease, or other disability.

It shall be unlawful for any person to lead, ride, or drive on any street of this city, for any purpose, except that of conveying to a proper place for its humane keeping or killing, or for medical or surgical treatment, any diseased, debilitated, lame or emaciated animal.

## SECTION 2. SELLING, DISEASED.

It shall be unlawful for any person to bring into Park City for sale or have in his possession with intent to sell, or offer for sale, or sell any animal having a communicable disease, or which has been exposed to, or which is liable to carry infection from a communicable disease.

## SECTION 3. UNLAWFUL TO BRING DISEASED CATTLE, ETC. TO THE CITY FOR SALE.

It shall be unlawful for any person to bring into the city for sale, or to sell, or offer for sale any cattle, sheep, swine, fish, game, fowl, or poultry which is diseased, unsound, unwholesome, or which for any other reason is unfit for human food.

## SECTION 4. ANIMALS. ACCIDENTAL KILLING OF, REMOVAL.

Every person who shall accidentally or otherwise kill any animal upon the streets or alleys of this city, shall, within three hours thereafter, remove or cause the body of said animal to be removed from the streets and alleys of the city; and shall, within the same time, give notice to the health department of this city, stating the kind of animal killed, the place where killed, and what disposition has been made of the same. No person shall remove or cause to be removed from the premises in the possession of or under the control of such person any dead animal, into or upon any street or alley of this city, except to remove the same for burial or destruction.

SECTION 5 ANIMALS. CRUELTY TO.

It shall be unlawful for any person to torture, cruelly beat, ill treat, maim or disfigure any horse or other animal or fowl within the limits of Park City, whether belonging to himself or to another person.

SECTION 6. ANIMALS, KILLING OR POISONING.

It shall be unlawful for any person wilfully to kill any domestic animal, the property of another, or to administer poison to any such animal, or to expose any poisonous substance within the limits of Park City with the intent that it shall be taken by any such animal.

SECTION 7. ANIMALS. DRIVING SHEEP THROUGH STREETS PROHIBITED.

It shall be unlawful for any person to drive cattle, goats, sheep, horses or hogs over or upon any of the public streets of Park City, provided, however, this shall not apply to the highways set aside for that purpose by the City Council.

SECTION 8. ANIMALS. KEEPING OF WITHIN THE CITY LIMITS.

It shall be unlawful for any person to keep within the limits of Park City, any sheep, goat, cow, calf, horse, jack, jinny, pig, hog, fox, rabbit or mink, without a permit from the board of health.

It shall be unlawful for any person to maintain or operate a dog kennel within the limits of Park City, without a permit from the board of health.

The board of health shall have power to make rules and regulations governing the keeping of such animals.

DOGS

SECTION 9. REGISTRATION AND ANNUAL TAX OF DOGS.

It shall be unlawful for any person to own or keep a dog within the limits of Park City without making application to the city treasurer for that purpose and paying to the city treasurer, for the benefit of the city, an annual tax of \$5.00 for each ~~female~~ <sup>male</sup> and \$5.00 for each male dog, provided, however, that the license tax herein required to be paid by the owner or keeper of any dog within the city shall not apply to any person conducting or maintaining a dog kennel in the city, but any person conducting or maintaining a dog kennel shall pay to the city treasurer for the privilege of keeping or maintaining the said kennel the sum of \$100.00 for each year or fraction thereof, such kennel license to be effective only so long as the dogs remain in the kennel.

*Approved female  
1023  
Approved  
Female*

It shall be the duty of the recorder to register the applicant's name and description of the dog or dogs, and to give to such applicant a certificate of registry.

SECTION 10.

The license fee for a spayed female dog shall be the same as for a male dog. Before any license may be issued for a spayed female dog, a certificate in writing, signed by some person duly licensed to practice veterinary, medicine or surgery in the state of Utah, describing such female dog and reciting the fact that such female dog has been spayed, together with the date thereof, shall be filed with the city recorder.

SECTION 11. OWNERS TO PROVIDE COLLARS.

It shall be the duty of the owners of all dogs so licensed to provide said dogs with suitable collars with a metallic plate or check attached thereto having a number corresponding with the certificate of registry inscribed thereon, and all dogs not so registered and collared, as aforesaid, found running at large, shall be impounded and the owner subjected to the same penalty as the owners of unregistered dogs. Dogs impounded under the provisions of this section shall be well housed, fed and watered.

SECTION 12. IMPOUNDING. REDEMPTION.

Any dog impounded as an unlicensed dog may be redeemed and taken from such pound by the owner or any authorized person, upon exhibiting to the supervisor or any authorized person, a certificate of registry as provided in Section 9, showing that the license in said section imposed has been paid for such dog, and upon paying the person in charge of said pound an impounding fee of \$3.00 for each and every day such dog shall have been impounded; and all impounded dogs not redeemed within three days shall be killed in a humane manner.

SECTION 13. CRUELTY PROHIBITED.

It shall be unlawful for any person to maltreat or torture any dog, or, having the right or authority to kill any dog, to kill such dog in an inhuman manner.

SECTION 14. FEMALE IN HEAT. PROHIBITED RUNNING AT LARGE.

It shall be unlawful for the owner of any female dog to permit it to run at large while in heat, and such dog may be killed by any police officer.

SECTION 15. PROHIBITED IN PLACES OF WORSHIP.

It shall be unlawful for the owner of any dog to permit the same to enter or be in any place of worship during public service.

SECTION 16. BARKING DOGS.

It shall be unlawful for any person to own, keep or harbor within the limits of Park City, any dog which by barking, howling or yelping disturbs the quiet of any neighborhood or person.

SECTION 17. UNLAWFUL TO KEEP FIERCE, DANGEROUS DOGS.

It shall be unlawful for any person to keep, own or possess a fierce, dangerous, vicious or mischievous dog within the limits of Park City. The chief of police of said city is hereby authorized to kill or cause to be killed all fierce, dangerous, vicious or mischievous dogs found within the limits of said city. In pursuance of his duty in this regard, he is authorized to enter the premises of any one keeping such fierce, vicious or mischievous dog.

SECTION 18. KILLING REGISTERED DOGS PROHIBITED.

It shall be unlawful for any person to kill, or cause to be killed, any dog registered as herein provided, without the consent of the owner or possessor thereof, or to deprive a registered dog of its collar, or to place a registration tag on any dog not duly registered.

HUMANE OFFICER

SECTION 19. OFFICE CREATED.

There is hereby created the office of humane officer.

SECTION 20. SALARY

The humane officer shall be appointed by the City Council and shall serve without pay.

CHAPTER II

APPOINTIVE OFFICERS

SECTION 21. APPOINTMENT.

The mayor, by and with the advice and consent of the city council, may appoint all appointive officers and agents that may be provided for by law and ordinance, and, in like manner, fill all vacancies among the same, except as otherwise provided by law; provided, that elective officers shall have the sole right to appoint their deputies and assistants, who shall be confirmed by the city council.

SECTION 22. TERMS.

Except as otherwise provided by law, the term of office of all appointive officers shall be until the municipal election next following their appointment and until their successors are duly appointed and qualified, unless sooner removed by the mayor, with the concurrence of a majority of the members of the city council, or by the city council with the concurrence of the mayor.

CHAPTER III

ATTORNEY

SECTION 23. DUTIES.

The attorney shall act as the legal advisor of the city, in all matters pertaining to contracts with or by the city, or any question of legality arising out of any law, ordinance or otherwise, and draft all bonds, obligations, contracts, deeds, leases, conveyances, and other legal instruments which may be required by ordinance or resolution or order of the city council. He shall prosecute or defend all actions on behalf of the city or any officer thereof wherein any of the estate, rights, privileges, ordinances, acts, or orders of the city council may be brought in question before any court. He may take appeals and sue out all writs, by and with the approval of the mayor and council when the interest of the city require it, and prosecute or defend the same in the appellate court, and shall do and perform all other duties, incident to his office, that may be needful or necessary for the interest of the city, or that may be required of him by ordinance, resolution or order of the city council.

SECTION 24. SHALL KEEP DOCKET.

He shall keep a docket and enter therein an abstract account of all suits pending in any court, and judgments rendered pertaining to the city, and shall keep a record of all claims placed in his hands for collection and all moneys received by him on account of the city and payments made by him to the city treasurer. He shall settle with the recorder quarterly or oftener, if required, and shall pay into the city treasury all moneys in his hands belonging to the city. He shall attend any meeting of the city council when required and shall annually make full and complete report of his official doings in the city council, and shall report the condition of the business in his hands as often as may be required.

CHAPTER IV

AUCTIONEERS

SECTION 25. AUCTIONEERS.

An auctioneer as contemplated in this chapter, is a person who conducts a public competitive sale of property by outcry to the highest bona-fide bidder.

It shall be unlawful for any person to engage in the business of auctioneer within Park City without first procuring a license so to do. Such auctioneer shall pay into the city treasury the sum of \$5.00 per day therefor, and shall execute a bond to Park City, with corporate surety in the sum of \$500.00 conditional for the faithful observance of all laws and ordinances of Park City, and the honest performance of all duties required by ordinance, and the protection of all persons dealing with such auctioneer against all fraud, deception and imposition; said bond to be approved by the City Council and filed with the city recorder.

## SECTION 26. TIME OF SALES.

It shall be unlawful for any person to sell or conduct any sale of goods, wares or merchandise by public auction in Park City except between the hours of nine o'clock a.m. and six o'clock p.m.

## SECTION 27. CHARITABLE OR CHURCH AUCTIONS.

The provisions of this ordinance shall not apply to any auction held for charitable or benevolent purposes or for any church fair, festival or bazaar.

## SECTION 28. LICENSE NOT TRANSFERABLE.

Neither the license nor the permit granted under the provisions of this ordinance shall be transferable, nor shall the same be loaned or used by any other person.

## SECTION 29. FALSE REPRESENTATIONS.

It shall be unlawful for any auctioneer when selling or offering for sale at public auction any goods, wares or merchandise under the provisions of this chapter, while describing said goods, wares or merchandise with respect to character, quality, kind or value or otherwise, to make any fraudulent, misleading, untruthful or unwarranted statements tending in any way to mislead bidders, or to substitute an article sold for another.

## SECTION 30. AUCTION HOUSES.

An auction house, as contemplated in this ordinance, is a place where personal property is sold at auction by an auctioneer.

It shall be unlawful for any person to engage in the business of, or to keep, conduct or operate an auction house within Park City without first obtaining a license to do so.

An applicant for an auction house license, who is not a transient auction house dealer, shall pay into the treasury of Park City the sum of \$200.00 for an annual license, and said sum shall not be pro-rated if said license is taken out for any part of a license year less than the full term; and said applicant shall execute a corporate surety bond in the sum of \$500.00 in favor of Park City and of any person injured or damaged by false or fraudulent representation in dealing with said auction house, conditioned for the faithful observance of all laws and ordinances of Park City, the honest conduct of the business engaged in, and for the payment of damages to all persons injured or damaged by fraud or false or fraudulent representations in dealing with said auction house; said bond to be approved by the city council.

## SECTION 31. LICENSE FEE.

The license fee for engaging in business as a transient auction house owner shall be the sum of \$5.00 per day, payable in advance, for each day such business shall continue.

## SECTION 32. TRANSIENT AUCTION HOUSE OWNER.

Any person or any agent, servant or employee of any person who shall sell, or offer for sale at auction any goods, wares, merchandise or articles of value in or from any hotel, rooming house, dwelling house, boarding house, store, store room, stall, tent, building, structure, stand or other place indoors, or outdoors, within Park City, and who shall occupy said place for the purpose of conducting a temporary business therein, shall be deemed a transient auction house owner for the purposes of this chapter, and the person, or any agent, servant or employee thereof so engaged, shall not be relieved from the provisions of this chapter by reason of association temporarily with any licensed dealer, trader, merchant or auctioneer, or by conducting such temporary, or transient business in connection with or as a part of, or in the name of any other licensed dealer, trader, merchant or auctioneer.

## SECTION 33. PERMIT TO SELL.

It shall be unlawful for any auctioneer, or person, to sell or offer to sell at public auction in Park City, any stock or stocks of merchandise, in whole or in part, or to keep, conduct or operate an auction house or a transient auction house in Park City for the purpose of selling or offering for sale any stock of merchandise in whole or in part, without first obtaining from the city recorder of Park City a license in writing so to do, and the said city recorder shall not issue a license for any sale until he is satisfied by proof offered by the applicant or otherwise that neither fraud nor deception of any kind is contemplated, or will be practiced, and that neither the sale, the reasons given therefor, nor the goods to be sold have been, or will thereafter be fraudulently or falsely advertised or in any way whatsoever misrepresented as far as said public auction is concerned; and said application for said permit shall be verified petition, stating the name of the applicant, his residence, the street and number of the proposed place of sale, and shall set forth in detail the goods to be sold, and what statements are to be made or advertised regarding the same, and the length of time for which the permit is desired, and whether or not said applicant has been previously engaged in a like or similar business, designating the place where the same was conducted, and furnishing the said city recorder with such further evidence as shall be deemed necessary to establish the truth of the statements made in said petition.

## SECTION 34. SELLING JEWELRY BY AUCTION.

It shall be unlawful for any retail or wholesale merchant or pawnbroker or other person to sell or dispose of, or offer for sale in Park City, at public auction any platinum, gold, silver or plated ware, or precious stone, or semi-precious stones, or watches, clocks, jewelry, china, or glassware, without first obtaining a specific license so to do. The license as aforesaid shall not be valid for any other public or private auction and the fee therefor shall be \$5.00 per day, payable in advance for each day such business shall continue. Each applicant for such license shall file bond with corporate surety in like manner and for the same amount as an auction house owner as provided by ordinance.

## SECTION 35. AUCTIONEER MAY APPEAL TO CITY COUNCIL.

Where any applicant for a license under the provisions of this ordinance is dissatisfied with the ruling or rulings of the city recorder, he shall have an immediate appeal to the city council of Park City; said appeal to be in the form of a written petition to the city council, setting forth the reasons for the appeal and the errors committed by the city recorder.

## SECTION 36. REVOCATION OF LICENSE.

Licenses under this chapter may be revoked by the city council whenever it shall have been made to appear to its satisfaction upon a proper hearing that the licensee has violated any of the terms or provisions of this chapter or of the licensee's bond. Upon revocation the right of the licensee shall cease and the unearned portion of the license fee shall be forfeited to the city.

## SECTION 37. RECEIPTS FOR GOODS. COMMISSION.

It shall be the duty of all licensed auctioneers to receive all articles which may be offered them for sale at auction, and give receipts therefor; and at the close of any sale, which must be made as the owner directs, the auctioneer shall deliver a fair account of such sale, and pay the amount received for such articles to the person entitled thereto, deducting therefrom a commission not to exceed ten per cent on the amount of such sale.

## SECTION 38. SIDEWALK CROWDS.

All auctioneers are forbidden to conduct their sales in such manner as to cause people to gather in crowds on the sidewalks or so as to obstruct the same; nor shall they use immoral or indecent language in crying their sales; or make, or cause to be made, noisy acclamations such as ringing of bells, blowing of whistles, or otherwise, though not enumerated here, through the streets, in advertising their sales; and no bellman or crier, drum or fife or other musical instrument or noisemaking means of attracting the attention of passersby, except the customary auctioneer's flags, shall be employed or suffered to be used at or near any place of sale, or at or near any auction room or near any auction whatsoever.

## CHAPTER V

AUTOMOBILE GARAGE, REPAIR SHOP, WRECKING OR SALVAGESHOP--REGULATION OF, ETC.,

## SECTION 39. DEFINITIONS.

The provisions of this chapter shall be deemed and held to apply to public or private garages or structures wherein are stored, kept, rented, hired or sold new or second-hand vehicles using gasoline or the products of petroleum or hydrocarbon liquids for generating motive power, repair shops, wrecking or salvage shops or stations and as contemplated

## SECTION 39. DEFINITIONS (Continued)

in this chapter, an automobile shall mean any motor vehicle using gasoline, petroleum or any product of hydrocarbon liquids for generating motive power.

A "public garage" is a building or structure in which automobiles are kept for sale or hire to the public, or any building or structure in which automobiles are kept or stored by the public, for which service charges are made.

A "private garage" is a building or structure where not more than three automobiles are kept and stored for private use only, and not sold, rented or hired to the public, or ~~any~~ charge made for storage.

A "repair shop" is any building, structure or premises where one or more automobiles or automobile parts are repaired, cleaned, oiled, greased, adjusted or worked upon in any manner whatsoever, and for which a charge is made.

A "wrecking or salvage shop or station" is any building, structure or premises, where automobiles are taken apart and the parts or other parts are offered for sale.

"Gasoline" shall mean any product of petroleum or any hydrocarbon liquid that will flash or emit an inflammable vapor below the temperature of one hundred and ten (110) degrees Fahrenheit.

"Approved" means approved by the chief of the fire department.

## SECTION 40. NOT ALLOWED IN CERTAIN BUILDINGS.

No part of any building hereafter erected or of any existing building not already so used, which is used, which is used as a hotel, apartment house, rooming house or lodging house, shall, after the passage of this ordinance, be used as a public garage.

## SECTION 41. PERMITS AND LICENSES.

It shall be unlawful for any person hereafter to conduct or maintain any building or premises to be used as an automobile garage, repair shop or salvage shop or station, without first obtaining a license from the license department and a permit therefor from the chief of the fire department, specifying the name of the permittee and the location of the premises to be used, and the amount of gasoline desired; provided, that all persons now conducting a public garage, repair shop or salvage shop or station, shall, after the passage of this ordinance, comply with the requirements hereafter specified in this chapter governing the storage and handling of gasoline.

## SECTION 42. APPLICATION FOR PERMITS.

All applications for permits for automobile garages, repair shops or salvage shops, shall be made to the chief of the fire department, who shall determine the conditions under which any privileges granted shall be exercised, and shall furnish each applicant with a written or printed copy of all the requirements imposed by ordinance for his information and guidance as to the manner in which gasoline shall be stored. When application is made to conduct and maintain a public garage, repair shop or salvage shop or station, the applicant shall immediately after the filing of the application cause to be posted conspicuously on the premises a notice that such application has been made; said notice to be kept posted until such application is granted or denied.

## SECTION 43. CONSTRUCTION OF BUILDING USED AS PUBLIC GARAGES, REPAIR SHOPS OR SALVAGE SHOPS.

No building or part of any building hereafter erected or altered shall be used as a public garage, repair shop or salvage shop unless the walls of such building be constructed of brick, stone, concrete or reinforced concrete and first floor be constructed of concrete. There shall also be installed a system of ventilation with openings to the outer air at the floor line, not less than six (6) inches by eight (8) inches in area for each ventilator installed.

## SECTION 44. PROTECTION AGAINST FIRE.

There shall at all times be maintained in every such building used as a public garage, repair shop or salvage shop, two (2) chemical fire extinguishers of not less than two and one-half ( $2\frac{1}{2}$ ) gallons each, where the floor space is less than five hundred (500) square feet, and one (1) additional chemical fire extinguisher for every additional five hundred (500) square feet of floor space.

Sand shall be kept in metal buckets and barrels in all public garages, repair shops and salvage shops. The number of buckets and barrels and the location thereof in the buildings shall be in accordance with the direction of the fire marshal. Each barrel shall contain a metal scoop. Sand saturated with oil shall be removed from the building. The use of sawdust in absorbing oil is prohibited. Metal drip pans must be provided when so ordered by the fire marshal.

## SECTION 45. REGULATIONS.

The following regulations must be observed at all times by public garages, repair shops, or salvage shops:

(a) No gasoline shall be allowed to remain in any open can or open receptacle of any kind.

(b) No gasoline shall be put into or taken out of any automobile where there is an open light.

## SECTION 45. REGULATIONS. (Continued)

(d) Oils, gasoline and inflammable materials shall not be stored or kept in any lockers.

(e) No stove, forge, torch, furnace, heating plant or apparatus, flame or fire shall be permitted in or beneath any building used, except in the office or retiring room; provided, that a heating plant or furnace may be installed on the main floor in a separate room with solid fire-proof walls and ceiling and an outside entrance only.

(f) All lighting shall be by incandescent electric lights, with all electric switches and cut-offs permanently located at least four and one-half ( $4\frac{1}{2}$ ) feet above the floor. All wiring shall be encased in metal conduits.

(g) All electric motors which are not actually a part of any automobile shall be located at least four (4) feet above the floor.

(h) All lockers shall be constructed of metal or other fire-proof material, and in such a manner as to permit of ready inspection.

(i) No smoking shall be allowed inside of any building. A notice in large letters, "NO SMOKING" shall be displayed in a conspicuous place and manner on the floor at entrances, subject to the approval of the fire marshal.

(j) All waste and rubbish of any kind must be kept at all times in metal receptacles fitted with tight covers.

## SECTION 46. STORAGE OF GASOLINE.

Except as hereinafter provided, all gasoline, except that contained in the tanks of automobiles shall be kept and stored in underground tanks, which, for a public garage, shall not exceed the capacity of eight thousand gallons, and for a private garage, shall not exceed the capacity of three hundred gallons, and it shall be unlawful to have the said storage tanks less than three (3) feet underground.

## SECTION 47. CONSTRUCTION OF STORAGE TANKS.

All gasoline storage tanks shall conform to the following specifications:

(a) All gasoline storage tanks shall be constructed of at least twelve (12) gauge galvanized steel, or of three-sixteenth ( $3/16$ ) inch black open-hearth steel, when installed or used within the fire limits of Park City, and of at least sixteen (16) gauge galvanized steel or of three-sixteenth ( $3/16$ ) inch black open-hearth steel when installed or used outside of said fire limits; provided, that no tank to be used for the storage of gasoline having a greater capacity shall be made of sixteen (16) gauge galvanized steel.

## SECTION 47. CONSTRUCTION OF STORAGE TANKS. (Continued)

(b) All tanks made of galvanized steel must be carefully riveted, and soldered or welded. All tanks made of black steel must be carefully riveted and calked.

(c) All tanks must be coated on the outside with asphaltum or other rust-resisting material.

(d) There shall be no openings or connections on any tank, except on the top thereof, and no tank shall be connected with either drain, catch basin, public or private sewer.

## SECTION 48. PUMPS.

All gasoline must be drawn from storage tanks by automatic closing valve pumps, and no gravity, siphon, air or water pressure system shall be permitted. Such pumps must be located above the top of the tanks and may be located inside the building, but not below the first floor. Such pumps must be of an approved design, having valves to close all suction lines, and having a shut-off valve on the nozzle.

## SECTION 49. PERMIT MAY BE REVOKED.

If any proprietor or manager of a public or private automobile garage, repair shop or salvage shop shall fail or refuse to comply with any of the provisions of this chapter, the chief of the fire department shall notify the said proprietor or manager to appear before the city council of Park City within five days after the service of such notice, and show cause why the permit which may have been granted as provided in this chapter shall not be revoked, and the city council may, upon said hearing, revoke such permit.

## CHAPTER VI

AVIATION

## SECTION 50. AIR TRAFFIC RULES.

It shall be unlawful for any airman, as defined by the Air Commerce Act of 1926, adopted by the Congress of the United States of America, or other person, to navigate any aircraft over the area of Park City limits or land any aircraft over the said area otherwise than in conformity with the "Air Traffic Rules," effective March 22, 1927, as established or amended by the United States Department of Commerce (Aeronautics Branch) under the authority of the said Air Commerce Act. For the purpose of this chapter said air traffic rules, as published in Chapter 5 of the Air Commerce Regulations of the said Department of Commerce, are hereby adopted by reference and made a part hereof as fully as if the same, and each of them, were completely set forth herein.

## SECTION 51. U. S. LICENSE. AVIATOR.

It shall be unlawful for any airman, or other person to navigate any aircraft over, land upon or fly the same from the said area unless such airman, or other person, possesses a temporary letter of authority or a license issued by the Secretary of Commerce under the authority of the said Air Commerce Act.

## SECTION 52. U. S. LICENSE--AIRCRAFT

It shall be unlawful for any airman, or other person, to fly or otherwise navigate over, land upon or fly any aircraft from the said area mentioned in Section 50, except aircraft which has been registered and licensed by the Secretary of Commerce and rated as to airworthiness, in accordance with the provisions of said Air Commerce Act.

## SECTION 53. LICENSE.

It shall be unlawful for any person to engage in the business of carrying passengers for hire or reward, or to carry any passenger for hire or reward without first obtaining a license permitting him so to do from the city recorder. The license tax for said license shall be \$10.00 per day for each aircraft so used. No license shall be issued for any aircraft which has not been licensed and rated as to airworthiness by the Department of Commerce.

The city recorder shall make such inspection and investigation as will satisfy him of compliance with this ordinance by the applicant and he may take ten days' time after application within which to make such investigation.

Any license may be revoked by the city council upon notice and hearing, upon proof of violation of any ordinance or state statute or any of the air traffic rules of the Department of Commerce by the licensee or his employees or agent, or at any time the aircraft licensed has become not airworthy.

The provisions of this section with regard to license fee shall not apply to aircraft carrying passengers in interstate business.

## SECTION 54. COMMERCIAL FLIGHTS.

It shall be unlawful for any person to carry any passenger for hire or reward in any aircraft unless such person has been licensed by the Department of Commerce as a transport pilot or a limited commercial pilot, and it shall be unlawful for any person to use any aircraft in commercial flights which has not been licensed and inspected in accordance with air commerce regulations of the United States Department of Commerce.

It shall be unlawful for any person who has not been licensed by the Department of Commerce as a transport pilot or limited commercial pilot or private pilot not designated as student, to fly or carry any passenger except that student fliers may fly or carry instructor pilots.

## SECTION 55. EXCEPTIONS.

All officers and members of the United States Army and Navy while actively engaged in the service of the United States, and all aircraft owned by and operated exclusively under the direction of the Army or Navy, shall be subject to the provisions contained in this chapter except as to licensing of aircraft and airmen.

## SECTION 56. ACROBATS.

It shall be unlawful for any person to acrobatically fly an aircraft:

(a) Over any business, industrial or residential area of Park City;

(b) Over any open air assembly of person within the corporate limits of Park City except with the approval of the City Council.

(c) It shall be unlawful for any person to acrobatically fly any airplane over Park City carrying passengers for hire or reward.

Acrobatic flying means intentional maneuvers not necessary to air navigation.

## CHAPTER VII

BOARD OF HEALTH.

## SECTION 57. BOARD OF HEALTH. ESTABLISHED.

There is hereby created and established within and for Park City a board of health, clothed with the powers and duties hereinafter set forth and which, together with its officers and employees, shall constitute a health department.

## SECTION. 58. BOARD OF HEALTH. APPOINTMENT.

The board of health shall consist of the mayor, the city physician, and three members of the council to be appointed by the mayor, by and with the advice and consent of the council. The mayor shall be ex-officio chairman of the board.

## SECTION 59. DUTIES AND POWERS OF THE BOARD.

The board of health shall exercise general supervision of the health of the city, and put into effect all measures necessary to promote the health and cleanliness thereof. It shall cause all nuisance of every description on public and private property to be abated. It shall use all due measures, and adopt all necessary rules and regulations, to prevent the introduction or spread within the city or within five miles thereof, any malignant, contagious or infectious disease, and remove, quarantine or otherwise dispose of any person or persons, clothing or effects attacked with or having been exposed to such disease. It shall

## SECTION 59. DUTIES AND POWERS OF BOARD. (Continued)

make a report to the city council the last meeting in each fiscal year or oftener if directed by the city council, of all its proceedings, of the sanitary conditions of the city and the cleanliness thereof, and shall make such recommendations as in the judgment of the board will improve the sanitary conditions of the city. It shall have power to stop and prevent the discharge of sewage from any premises within the city limits into and upon any public highway, stream, water course or public place, or into any drain, cesspool or private sewer and to order a connection to be made with the public sewer from any premises whenever, in the opinion of the said board of health the public interests shall demand it. Said board shall have power to require the prompt repair of all leaks or other defects in plumbing throughout the city and, have the power to condemn and abate all plumbing which is deficient under the plumbing ordinance. And where, from change of occupants or business, or from other causes, it may be necessary, in the opinion of said board, to alter the kind, or increase the number of plumbing fixtures in any building, it shall have the power to compel such alteration or increase to be made.

## SECTION. 60. DUTY OF CITY PHYSICIAN.

The city physician shall take notice of all ordinances relating to the sanitary conditions of the city and enforce the same, and to this end, he is hereby authorized to enter, in the day time, any premises, house or building in the city; he shall issue all necessary permits for the burial, removal or other disposition of the bodies of deceased person.

It shall also be the duty of the city physician to attend all prisoners of the city, or other persons, when called upon to do so by the mayor, city council or any member of the police department.

## SECTION 61. MEETING OF THE BOARD.

Meetings may be called at any time by the mayor, or by the other two members of the board.

## SECTION. 62. SCHOOL BOOKS. DISTRIBUTION AND DISINFECTION.

It shall be unlawful to cover school books with cloth or any material other than paper. In all schools, academies, and colleges, where there is a free distribution of school books. Such books, having been once used, shall have the paper covers removed and shall be thoroughly disinfected in accordance with the rules of the board of health; there shall be no distribution oftener than is necessary. It shall be unlawful to collect from students in schools, academies and colleges any pencils, sponges, or penholders, generally used by such student, and distribute the same to other students, except after disinfection.

SECTION 63. RULES AND REGULATIONS IN RELATION TO THE QUARANTINE OF AND DISINFECTION AFTER CERTAIN CONTAGIOUS OR INFECTIOUS DISEASES.

The following rules and regulations in relation to the quarantine of, and disinfection after cholera, small pox, yellow fever, diphtheria, scarlet fever, typhoid fever, whooping cough, measles and other contagious and infectious diseases, shall be made and enforced by the board of health and under the supervision of the board of health:

1. The board of health may at all reasonable times, and after the exercise of proper disinfection, in accordance with the methods of the board, permit any person not affected with any of the diseases in these quarantine rules specified to leave the premises within which any of the said diseases may exist; provided, that the board of health may require any such person, although properly disinfected, to be detained in some isolated house or room a sufficient length of time to determine whether or not such person has contracted any such disease to which he or she may have been exposed.

2. It shall be the duty of every physician or other person caring for the sick within Park City, to make a report to the board of health immediately after such person becomes aware of the existence of any case of scarlet fever, actinomycosis, anturax, botulism, chancreoid, dengue, dysentery, glanders, gonorrhoea, epidemic encephalitis, hookworm, malaria, mumps, ophthalmia neonatorum, psitticosis, paratyphoid, rabies, septic sore throat, syphilis, trichiniasis, tularemia, undulant fever, Weil's disease, relapsing fever, yellow fever, typhoid fever, membranous croup, diphtheria, whooping cough, smallpox, measles, tuberculosis, asiatic cholera, rubella (rotheln), chickenpox, typhus fever, plague, cerebro-spinal meningitis, infantile paralysis, leprosy, trachoma, Rocky Mountain spotted fever, pneumonia, influenza, or any other disease deemed by the board of health to be contagious, or communicable, in his or her charge, and it shall be the duty of every person, owner, agent, manager, principal or superintendent of any public or private institution or dispensary, hotel, boarding house or lodging house to make a report in like manner of any inmate, occupant or boarder suffering from any of the said infectious or contagious disease.

3. It shall be the duty of the board of health, without delay, upon receiving notice as provided in the foregoing paragraph, to proceed immediately to carry out such rules and regulations as the state and city boards of health may prescribe, having for their object the prevention and restriction of the disease or diseases hereinbefore mentioned. It shall be the duty of the board of health upon receipt of said notice of existing or suspected diseases aforesaid, to inspect or cause to be inspected by its sanitary officers the house or locality, and on discovering that such disease exists, the board of health may isolate and quarantine said diseased person or persons and may also quarantine said diseased person or persons exposed to said disease, and restrain them within their home or locality from intercourse with other persons, and prohibit ingress or egress to or from such premises whenever it is necessary for the prevention or restriction of such diseases, and any person isolated or quarantine, who shall wilfully escape from said isolation or

## SECTION 63. Continued.

quarantine before he has fully recovered, or before the time provided for by the rules of the state and city boards of health, or before his clothes have been disinfected by the authorities in charge, or who wilfully permits clothes or other articles to be carried from the infected premises prior to disinfection, shall be deemed guilty of the violation of this ordinance.

4. It shall be the duty of the board of health to place near the front door or main entrance and upon the outside of any dwelling house, living room, or apartment wherein is domiciled any person having any of the contagious or infectious diseases hereinbefore mentioned immediately upon the discovery of the existence of any such disease, a flag not less than eighteen inches in length by twelve inches in height, upon which is printed in plain black letters at least six inches in height, the name of the disease which therein exists.

5. From the time of the discovery of any of the said diseases until the quarantine on such premises shall have been removed, it shall be unlawful for any person not a practicing physician to leave such premises wherein is domiciled any person having any of the diseases in the preceding paragraphs described, without first obtaining permission from the city physician.

6. It shall be the duty of the board of health to place upon the outside of any dwelling house, living room or apartment wherein is domiciled any person or persons having measles or whooping cough or chicken pox, and near the front door or main entrance thereto immediately upon the discovery of the existence of such disease, a white card at least twelve inches in length by eight inches in width upon which is printed in plain black letters at least three inches in height the name of the disease which exists therein.

7. It shall be unlawful for any person or persons suffering from either of the diseases mentioned in the preceding rules to leave such premises after the discovery of such disease, until fully recovered, and until quarantine thereon has been removed lawfully; and it shall be likewise unlawful for any parents or guardians to allow children, whether actually suffering from either of the said diseases or not, to leave the premises where either of the said diseases exists from the time of discovery of the disease until the removal of the quarantine thereon, without first obtaining permission from the city physician.

8. It shall be unlawful for any person or persons, other than the proper officials, to cut, mar, burn, deface, destroy, cover up or in any manner mutilate, obliterate or remove; any quarantine flag or card posted by authority of the board of health. It shall likewise be unlawful for any person or persons to interfere with, hinder, delay, or obstruct any agent or agents, officers or employees of the board of health in the discharge of their duties.

## SECTION 63. Continued.

9. It shall be unlawful for any person or persons having knowledge of the removal, defacement or obliteration of any quarantine flag or warning sign intended to inform the public of the existence of any contagious diseases, to refrain from advising the board of health of such removal for more than twenty-four hours.

10. The quarantine flag shall be displayed at least twenty-one days after scarlet fever or small-pox, and fourteen days after diphtheria is first reported and longer, if directed by the city physician. In case of death the quarantine flag shall be displayed until ordered removed by city physician or board of health.

11. It shall be unlawful for any person who is, or has been affected with either scarlet fever, diphtheria, small-pox, whooping cough or measles to leave the dwelling house, living room, or apartment in which he or she has been affected, without a permit from the city physician, which shall be issued only upon presentation of a written certificate from the attending physician, that all danger of communicating the disease has passed.

12. It shall be unlawful for any person or persons residing or lodging in any dwelling house, living room, or apartment wherein either scarlet fever, diphtheria, small-pox, bubonic plague, or epidemic cerebro-spinal meningitis is present, or which is still under quarantine for any of such diseases, to leave such house without the written permission of the city physician.

13. No permit to attend school or other public gathering shall be granted to a person afflicted with scarlet fever, small-pox, diphtheria, or bubonic plague, until twenty-one days after the removal of the quarantine in cases of scarlet fever, small-pox, and bubonic plague, and fourteen days after the removal of quarantine in diphtheria and Spanish influenza cases, or until such time not to exceed period as the board of health shall determine. Persons other than the particular individual affected, who have been under quarantine, shall, after the removal of such quarantine, be permitted to attend school and other public gatherings upon presentation of a written permit from the city physician.

14. It shall be unlawful for any person to give, lend, sell, transmit, remove or expose, without previous disinfection, according to the rules of the board of health, any bedding, clothing, rags, or other objects which have been exposed to infection from any of the diseases mentioned in this chapter.

15. It shall be unlawful for the owner, or his agent, of any conveyance in which has been conveyed any person afflicted with a contagious disease, or anything liable to carry infection, to use or allow such conveyance to be used for any purpose until it has been thoroughly disinfected under the supervision of the board of health.

## SECTION 63. Continued.

16. It shall be unlawful for the owner or agent of any house in which a person has been suffering from any contagious disease, knowingly to let it or part of it for hire without having previously disinfected it and all articles therein liable to infection, under the supervision, and according to the rules of the board of health.

17. It shall be unlawful for any person to take from any dwelling house, living room, or apartment, within the city limits, in which there is existing, or has existed, a case of contagious or infectious disease, any material or article for the purpose of washing or cleaning without the permission of the city physician, or to bring any such material or article within the city limits for the purpose of washing or cleaning the same.

18. It shall be unlawful for any physician, or other person to counsel or advise any other person to disregard, disobey or violate any of these quarantine rules and regulations. It shall be the duty of the physician or person in attendance on any contagious case to report in every instance to the board of health, on forms provided, whether or not the children in the same family or other children in the same building attend school, and if so, which school building or buildings they attend.

19. All persons suffering from any of the diseases mentioned in this chapter shall be isolated in rooms as far removed as possible as those occupied by other persons in the same building. No person other than the physician in attendance and nurses shall be admitted to such room during the prevalence of scarlet fever, small-pox, diphtheria, bubonic plague, or epidemic cerebro-spinal meningitis, and in no cases shall nurses or physicians visit other portions of the house without having taken precautions by change of clothing, disinfection, or otherwise against conveying contagion.

20. Every room occupied by a person suffering from any contagious or infectious disease, shall be immediately cleared of all needless clothing, carpet, drapery, and other materials likely to harbor the poisons or germs of the disease.

21. Soiled bed and body linen shall be immediately placed in vessels of water containing formaldehyde or a solution of 1-1000 bichloride of mercury, or a solution of chloride of lime, a strength of eight ounces to a gallon of water, or some other suitable and equally efficacious disinfectant, and be allowed to remain in such solution for at least one half hour.

## SECTION 63. Continued.

22. Excremental discharges from a patient suffering contagious or infectious diseases, shall be received in vessels containing formaldehyde, or a solution of 1-1000 bichloride of mercury, or a solution of chloride of lime, a strength of eight ounces to a gallon of water, or some other suitable disinfectant, and shall be allowed to stand for half an hour before being buried or emptied into sewer or privy vault. All vessels shall be kept scrupulously clean and thoroughly disinfected. Discharges from the throat, nose and mouth shall be received upon pieces of cloth, which must be immediately burned.

23. It shall be unlawful for any undertaker, or any person acting as such, called to take charge of the body of any person who has died from Spanish influenza, scarlet fever, small-pox, diphtheria, bubonic plague, or epidemic cerebro-spinal meningitis, to take charge of the body of such person without first notifying the board of health of such call. It shall likewise be unlawful for any undertaker, or any person in charge of a funeral of any person who has died of any of the diseases mentioned in this rule, to permit the mingling of persons attending such funeral, who have been exposed to the disease from which such person shall have died, with persons who have not been exposed. It shall also be the duty of the undertaker or other person in charge of such funeral to notify the board of health in advance of the time and place of such funeral.

24. In all cases where a person has died from the diseases mentioned in this chapter, it shall be the duty of the undertaker, or other person in charge of such dead body to thoroughly disinfect the same, and place it in a tight burial case, which case shall not thereafter be opened.

25. It shall be unlawful to hold a public funeral over the body of a person who has died from Spanish influenza, scarlet fever, small-pox, diphtheria, bubonic plague, or epidemic cerebro-spinal meningitis, or to remove the dead body or casket containing it to any church, any meeting house or place of public assembly, or to, in any manner, remove such body or casket in any public conveyance.

## SECTION 64. TRANSPORTATION OF INFECTED PERSONS.

It shall be unlawful for any person knowingly to transport any person affected with any contagious disease, in any conveyance owned or operated by him or under his control, unless he shall immediately thereafter such conveyance to be thoroughly disinfected according to the rules and regulations of the board of health.

## SECTION 65. DISINFECTION IN TYPHOID FEVER CASES.

It shall be unlawful for any person having charge of a person affected with typhoid fever, to fail to disinfect all excreta excreted by the said person during the course of the disease in accordance with the rules of the state board of health.

## SECTION 65. DISINFECTION IN TYPHOID FEVER CASES. (Continued)

It shall be the duty of the physician in attendance upon all persons affected with typhoid fever personally to instruct those having charge of the same to perform the disinfection above described and to satisfy himself that the same is properly carried out. It shall be unlawful for such physician to fail of his duty as herein set forth.

## SECTION 66. TUBERCULOSIS TO BE REPORTED.

It shall be the duty of every physician, every superintendent of any hospital or public institution in Park City immediately to report to the board of health every case of tuberculosis which he is called upon to treat or which is in such hospital or public institution. Each and every physician or superintendent shall make such reports as may be called for by the rules and regulations of the state board of health, and must comply with all rules and regulations made by said board and the local board of health to prevent the spread of such disease.

## SECTION 67. PROTECTION OF RECORDS.

It shall be the duty of the City Physician to cause all reports made in accordance with the foregoing provisions and also all results of examination showing the presence of the bacilli of tuberculosis, to be recorded in a register, of which he shall be the custodian. Such register shall not be open to inspection by any person other than the health authorities of the state and of the said city, and said health authorities shall not permit any such report or record to be divulged so as to disclose the identity of the person to whom it relates, except as may be necessary to carry into effect the provisions of this act.

## SECTION 68. DISINFECTION OF PREMISES.

In case of the vacation of any apartment or premises by the death or removal therefrom of a person having tuberculosis, it shall be the duty of the attending physician, or if there be no such physician, or if such physician be absent, of the owner, lessee, occupant or other person having charge of the said apartments or premises so vacated shall not again be occupied until duly disinfected, cleansed or renovated as provided by law.

## SECTION 69. PROHIBITING OCCUPANCY UNTIL ORDER OF BOARD OF HEALTH IS COMPLIED WITH.

In case the orders or directions of the local health officer requiring the disinfection, cleansing or renovation of any apartments or premises or any articles therein, as hereinbefore provided, shall not be complied with within forty-eight hours after such orders or directions shall be given, the health officer may cause a placard in words and form substantially as follows to be placed upon the door of the infected apartments or premises.

## SECTION 69. Continued.

"Tuberculosis is a communicable disease. These apartments have been occupied by a consumptive and may be infected. They must not be occupied until the order of the health officer directing their disinfection or renovation has been complied with. This notice must not be removed under the penalty of the law, except by the health officer or other duly authorized official.

## SECTION 70. PROHIBITING CARELESSNESS OF A PERSON HAVING TUBERCULOSIS.

Any person having tuberculosis who shall dispose of his sputum, saliva or other bodily secretion or excretion so as to cause offense or danger to any person or persons occupying the same room or apartment, house, or part of a house, shall on complaint of any person or persons subjected to such offense or danger, be deemed guilty of a nuisance, and any person subjected to such nuisance, may make complaint in person or writing to the health officer. And it shall be the duty of the health officer receiving such complaint to investigate, and if it appears that the nuisance complained of is such as to cause offense or danger to any person occupying the same room, apartment, house or part of a house, he shall serve a notice upon the person so complained of, reciting the alleged cause of offense, or danger, and requiring him to dispose of his sputum, saliva or other bodily secretion or excretion in such manner as to remove all reasonable cause of offense or danger. Any person failing or refusing to comply with orders or regulations of the health officer requiring him to cease to commit such nuisance shall be deemed guilty of a violation of this ordinance.

## SECTION 71. REPORTING RECOVERY OF PATIENT.

Upon the recovery of the patient having tuberculosis, it shall be the duty of the attending physician to make a report of this fact to the health officer, who shall record the same in the records of his office, and shall relieve said person from further liability to any requirements imposed by this act.

## SECTION 72. VENEREAL DISEASES.

The Park City board of health is empowered and directed to make rules and regulations required to curb venereal disease and aid in the control of prostitution, provided such rules and regulations do not conflict with similar enactments by the Utah State board of health.

Syphilis, gonorrhoea, and chancroid are officially designated the venereal diseases and declared communicable and consequently dangerous to the public health and public welfare.

Physicians and other persons diagnosing and treating the venereal diseases, superintendents or managers of public or private hospitals, dispensaries, charitable or penal institutions where venereal cases are kept shall report the existence of such cases as provided by the city and state laws and regulations.

## SECTION 72. VENEREAL DISEASES. (Continued)

The health department is empowered to investigate all reported or reasonably suspected cases of venereal diseases and when in its judgment, it is necessary to protect the public health, persons so suspected may be examined, and if found infected, isolated, detained, quarantined and treated. Definitely discovered, identified or reported cases of venereal disease may at the discretion of the department of health be required to report for private treatment by reputable physicians or at institutions provided at public expense or when expedient, they may be isolated, they may be quarantined or imprisoned and treated.

Prisoners within the city jail afflicted with a venereal disease must be isolated, quarantined and treated during the period of imprisonment. When the prison term expires before the case is rendered non-infectious, the health department may discharge the afflicted person to a private physician for continued treatment, or if advisable, continue to hold in isolation or quarantine under treatment until considered non-infectious.

It is unlawful for a person afflicted with a venereal disease to expose another person to the infection.

## SECTION 73. OPTHALMIA NEONATORUM.

It shall be the duty of every physician, midwife, or nurse attending a case of childbirth to report to the health department within six hours after the first appearance of any eye inflammation attended with a discharge occurring in the newly born infant. Suitable cultures or smears must be made and cases appropriately treated in accordance with the rules and regulations of the State and City boards of health.

## SECTION 74. OTHER CONTAGIOUS DISEASES.

The body of a person who has died of Asiatic cholera, diphtheria membranous croup, scarlet fever, bubonic plague, smallpox, or infantile paralysis, shall not remain unburied for a longer period of time than thirty-six hours after death, unless special permission be granted by the board of health extending the time during which said body shall remain unburied, for special and satisfactory cause shown.

## SECTION 75. SCAVENGER WORK UNDER DIRECTION OF THE BOARD OF HEALTH.

All scavenger work shall be subject to the direction and control of the board of health. It shall be the particular duty of the board of health to make rules and regulations and to enforce the provisions of this chapter in reference to garbage and scavenger work.

## SECTION 76. DEFINITIONS.

The term "garbage" as used in this chapter shall be held to include and mean swill and all animal, vegetable and food refuse from kitchens or residences, hotels, cafes, restaurants and places where food is prepared for human consumption.

## SECTION 76. DEFINITIONS. (Continued.)

The term "market waste" as used in this chapter shall include condemned or decayed or unsound vegetables, meat, fish and fruit, and all waste and offal thereof from markets, stores, and factories, and all vegetable waste and refuse from such markets, stores and factories.

The term "stove ashes" as used in this chapter, shall include the residue of material burned in stoves and in furnaces in private residences, but not the residue from furnaces in apartment houses, hotel, business houses, heating or manufacturing plants. An apartment house is defined to be a building comprising four or more suites designed for separate housekeeping tenements with heat, furnished in common.

The term "trade waste" as used in this article shall include all discarded wooden boxes, barrels, broken lumber, cardboard boxes, cartons waste paper, leather, rubber, excelsior, cuttings, sweepings, rags and other inflammable waste materials and all discarded trade or manufacturing refuse from stores, factories or other places of business which are not included within the definitions of garbage, stove ashes and market waste.

"Community waste" is hereby defined to be lawn cuttings, clippings from bushes, and shrubs and leaves, sweepings from yards, tin cans, bottles, newspapers, magazines, cardboard cartons, stove ashes, (but not building materials.)

"Cinders" is hereby defined to be the residue of materials burned in boilers, furnaces and heating plants of public buildings, places of business, apartment houses, hotels and manufacturing plants.

"Night soil" is hereby defined to be the contents from privy vaults, cesspools, septic tanks, grease traps and water closets.

"Place of business" is hereby defined as any place in Park City in which there is conducted or carried on principally or exclusively any pursuit or occupation by any person or persons for the purpose of gaining a livelihood.

"Public buildings and places" is hereby defined to be office buildings, theatres, garages, auto camps, hotels, clubs, churches, schools, hospitals or other places of similar character.

"Residence" is hereby defined to be a building or dwelling wherein no more than four families reside or dwell and where no business of any kind is conducted.

"Scavenger" is hereby defined to be a person or persons engaged in the business of collecting, hauling, or transporting through the streets of Park City any garbage, community waste, ashes, cinders, trade waste, market waste, night soil, manure, dead animals, bones or any noisom or offensive material or matter for disposal or for any other purpose.

SECTION 77. THE CITY COUNCIL TO PROVIDE FOR COLLECTION OF WASTE MATERIAL.

The City Council may provide for the collecting and disposal at the expense of the city or otherwise of garbage, community waste, stove, ashes, dead animals, and other refuse from residence, and from places of business, apartment houses, or public buildings of Park City. Said collecting to be under supervision of the department of streets, said disposal to be under supervision of the board of health.

SECTION 78. LICENSE AND PERMIT.

It shall be unlawful for any person to collect, carry, transport or haul or to engage in the business of collecting, carrying, transporting or hauling garbage, manure, market waste, trade waste, night soil, dead animals, or other refuse without first obtaining a permit from the board of health, and then only in such sanitary vehicles or receptacles as shall be strong, tight and covered so as to be inoffensive, and so constructed that such materials may be transported without falling, leaking or spilling.

It shall be unlawful for any person other than a person duly authorized to collect, haul, convey, or transport any of the waste materials herein mentioned, or to interfere in any manner with any receptacles containing any such waste materials, or to remove any such receptacle from the location where placed by the owner thereof, or to remove any of the contents of such receptacles.

SECTION 78. DISPOSITION OF GARBAGE AND WASTE.

It shall be unlawful for any person to deposit or cause or permit to be deposited any garbage, market waste, stove ashes, trade waste, or any other similar refuse in or upon any street or alley, or upon any premises in Park City without express permission from the board of health. The board of health may give permit for the feeding of garbage or swill upon premises properly equipped and maintained so as to prevent the creation of a nuisance, or for the depositing of ashes and other dry material for filling purposes, or for the burning of paper and other dry waste, at such places as the board of health may designate and under such restriction as said board may impose, or for the assorting, hauling, baling and marketing of trade waste upon premises properly equipped and maintained.

SECTION 79. DEAD ANIMALS, DECAYED FOOD, ETC., TO BE REMOVED.

The city council may contract with a person or corporation to remove from the corporate limits of Park City any animal found dead within the city, or any meat, fish or poultry duly condemned as unfit for human food, by inspectors acting under the board of health, and to have the exclusive right to receive dead dogs and cats from the city pound. Such contractor shall remove any such dead animal and any such meat, fish or poultry upon being notified by an officer of the city or other person of the presence of the same at any place indicated, and all such dead animals, condemned meat, fish or poultry shall be at once removed by the contractor without charge to the city.

SECTION 80. OWNER OF DEAD ANIMAL TO NOTIFY BOARD OF HEALTH OR CITY CONTRACTOR OF LOCATION, ETC.

It shall be the duty of every owner of any animal found dead within Park City immediately to notify the board of health of the location of such animal, so that the same may be removed as speedily as possible.

It shall be unlawful for any person knowingly to permit any dead animal to be or remain upon the premises of such person longer than three hours, without notifying the board of health of the location of the same; or for the owner of any dead animal knowingly to permit the same to remain upon any public street or any premises within the city for three hours without notifying the board of health of the location of the same.

SECTION 81. ACCUMULATIONS OF WASTE MATERIALS.

It shall be unlawful for any person to allow garbage, ashes, market waste, trade waste, manure, night soil or other refuse to accumulate upon premises under his control, or to fail to remove same within twenty-four hours after notification from the board of health so to do.

All garbage, ashes, market waste, trade waste, manure, night soil, and other refuse not collected and hauled away by the city in its regular garbage and refuse collections must be regularly hauled and disposed of by licensed collectors at the expense of the owners or occupants of the premises wherein such waste materials are produced.

SECTION 82. GARBAGE RECEPTACLES.

Every owner, lessee or occupant of any buildings, premises or place of business, shall provide or cause to be provided, and at all times keep, at such place as the health commissioner may direct, suitable and sufficient metallic receptacles for receiving and holding garbage, market waste and other refuse that may accumulate from said building place of business or upon said premises or the portion thereof under the control of such person. No receptacles shall be filled to exceed one hundred pounds in weight, including weight of receptacle. Each receptacle shall be provided with handles for the convenient lifting of the same.

All garbage and market waste must be placed in rainproof and fly-proof metallic receptacles with proper covers, and shall at all times be kept securely closed, and shall be kept in such place and in such manner as to prevent offense.

Receptacles containing garbage and other waste matter to be collected and hauled by the city or licensed collector, shall be set out for collection at the places and at such times as may be designated by order of the board of health. Such receptacles must not be set out upon the street for collection prior to the day of collection; and must be set out on the day of collection before the hour of collection designated by the board of health. All empty receptacles must be removed from the street as soon as practicable after emptied, and in every case must be removed from the street the same day they are emptied. No such receptacles shall

## SECTION 82. GARBAGE RECEPTACLES. (Continued)

be permitted to remain on streets longer than may be necessary for the removal of the contents thereof.

## SECTION 83. BEFOULING GUTTERS AND DITCHES.

It shall be unlawful for any person to sweep into or deposit any paper or other rubbish in any gutter or ditch within the city limits, or to empty in any gutter or ditch any swill, house slops, contents of spittoon, or other filthy refuse.

It shall be unlawful for any person to throw or deposit any dead animal or fowl, or any live animal or fowl for purpose of drowning, in any reservoir, pool, canal, creek, or other stream or body of water within the city.

## SECTION 84. CARE OF RECEPTACLES.

All scavengers or collectors of garbage or other refuse and city employees engaged in garbage and refuse collection shall immediately upon emptying receptacles, replace the cover thereon and set such receptacles in upright position. All scavengers or garbage collectors shall exercise reasonable care in the handling of garbage and other refuse and receptacles containing the same.

It shall be unlawful for any person to wilfully break, deface, or injure any receptacle used to contain garbage or other refuse, or to do or permit anything to be done in connection with receptacles or the contents thereof, which shall be offensive or filthy in relation to any person, place, building, premises or highway.

## SECTION 85. NIGHT SOIL.

It shall be unlawful for any person to deposit, or burn any night soil in or on any premises within the city limits. All night soil shall be disposed of at the flushing station under directions of the board of health.

## SECTION 86. VACATING PREMISES.

It shall be unlawful for any person to empty or clean any vault, privy, cesspool within the city limits, except pursuant to a permit therefore received from the board of health. It shall be unlawful for any person to remove, carry or haul through the streets any night soil or contents of cesspools between the hours of 11 o'clock p.m. and 5 o'clock a.m. from May 1st to October 20th, and between the hours of 10 o'clock p.m. and 6 o'clock a.m. from November 1st to April 30th.

## SECTION 87

## SPILLING GARBAGE UNLAWFUL

It shall be unlawful for any person engaged in hauling garbage, manure, rubbish or other matter of any kind to permit, allow or cause any of said matter to fall and remain in the streets.

It shall be unlawful for any person to convey, transport, or haul through or upon any of the public streets, any garbage, swill, market waste, night soil and other similar refuse except in sanitary receptacles especially constructed for that purpose, the same to be subject to the approval of the board of health.

It shall be unlawful for any person to suffer, permit or allow any vehicle loaded with garbage, manure, slop, swill, market waste or other refuse to be or remain standing upon any public street within Park City any longer than may be necessary for the purpose of loading and transporting the same.

It shall be unlawful for any person to keep, conduct or operate in or within one mile of the limits of Park City, any offensive or unwholesome business or establishment. All such offensive or unwholesome business or establishments are hereby declared to be public nuisances.

## SECTION 88

## FUMIGATOR

It shall be unlawful for any person to engage in the business of fumigator in Park City without first obtaining a license so to do.

For the purpose of this ordinance, a "fumigator" shall be deemed to be any person who used hydrocyanic acid gas, cyanogen, chloropicrin, or any other poisonous, noxious or dangerous gases or fumes, specified by the City Board of Health as liable to affect human beings by causing severe sickness or death, for the extermination of household insects or vermin or rodents in any place of domestic habitation, hotel, apartment hotel, apartment building, office building, furniture store, second-hand store, household goods, warehouse, place of public assembly, lodging house, rooming house, asylum, hospital, home or similar places.

Every person desiring a license to engage in the business of fumigator, shall make application to the city recorder and shall with his application file a sworn statement showing the experience and training tending to qualify the applicant for the business of fumigator with hydrocyanic acid gas and other dangerous and noxious gases.

The license fee for engaging in the business of a fumigator shall be \$.25 per room.

The application for such license, together with the statement of the applicant shall by the city recorder, be immediately referred to the Health Department for inspection and report. The Health Department shall, within five days of receiving such application, make report to the City Council, as to the fitness, qualification and responsibility of the applicant to act as a fumigator, and as to his knowledge and experience

## SECTION 88. FUMIGATOR. (Continued)

of, and with, poisonous and/or noxious gases, and shall also report on his knowledge and familiarity with the rules and regulations prescribed by the board of health governing the use of poisonous and noxious gases used for fumigating purposes, and the Health Commissioner shall add his recommendation as to the granting or denying said application. Upon receipt of said report, the City Council shall act upon the application as it shall deem, fair, just and proper, in regard to the granting or denying of the same.

No person shall be engaged by said licensee to work at the occupation of an exterminator or fumigator, employing the use of hydrocyanic acid gas and/or other dangerous gases or fumes without first filing an application and statement of experience and qualifications, with and receiving the approval of, the Health Department.

It shall be the duty of every person licensed under this article, intending to generate or release hydrocyanic acid gas, and/or other dangerous gases or fumes for fumigation purposes, before starting such generation or release, to notify the health department, giving the location of the building or enclosed space to be fumigated, and to secure from the health department a permit, which shall state the hour and day when the work will be performed.

The Park City board of health is hereby authorized and directed to prescribe rules and regulations governing fumigation procedure not in conflict with the provisions of this article as it may deem necessary for the protection of life and public health.

The board of health is hereby authorized and directed to enforce the provisions of this ordinance and the rules and regulations prescribed under it.

When hydrocyanic acid gases and/or other dangerous gases or fumes are used for extermination purposes, the method of procedure shall be that prescribed by the rules and regulations of the said board of health.

## SECTION 89.

Whenever, in the opinion of the board of health, any building or dwelling has, because of its unsanitary condition, become a menace to life or health, or unfit for human habitation, said board of health shall have the power to close to occupancy said building or dwelling and/or cause to be vacated said building or dwelling until the same is put in a clean and sanitary condition as required by the rules and regulations of the board of health. It shall further be the duty of the board of health to notify the owner, agent, or lessee in writing of the action and post in a conspicuous place on said building a metal sign reading as follows, to-wit: "Closed to occupancy by Order of Board of Health."

## SECTION 90.

It shall be unlawful for any person to occupy, lodge or sleep in or cause or permit any person to occupy, lodge or sleep in any building or dwelling or other place closed to occupancy by order of the board of health.

## SECTION 91. FLOORS OF BARNS AND STABLES.

The floors of all barns and stables where animals are kept shall be constructed of concrete or other impervious and easily cleaned material and approved by the Health Officer and shall be sloped to a gutter constructed of same material as floor at rear of stalls or stanchions. Said gutter to connect with the sewer, cesspool or septic tank as to comply with the City Plumbing Ordinances, and shall be kept clean and in good repair.

DIVISION OF MEAT AND FOOD INSPECTION

## SECTION 92. FOOD INSPECTION.

The board of health shall, by its duly authorized agent or officer, have charge of the meat and food inspection, and shall perform the duties prescribed by law and ordinance, and such other duties as may be assigned by the city physician.

The board of health, or its duly authorized agent or officer, shall personally inspect all meat and food products manufactured, produced, stored, kept, sold or offered for sale within Park City, which he may suspect or have reason to believe are impure, unhealth, adulterated or counterfeit. He shall enforce proper sanitary regulations in the management and surroundings, the production, manufacture, storage, keeping and sale of all meat and food products, and shall have charge, supervision and inspection of all slaughter houses, factories and places where animals are slaughtered for food, or where any article of food is prepared for human consumption, and shall report the results of his examination and investigation monthly to the board of health, or oftener if required by said board.

For the purpose of effectuating this ordinance, the board of health shall have access, ingress and egress to and from all places of business, factories, farms, buildings, carriages and cars used in the manufacture, transportation or sale of any article of food as defined in this ordinance, and also into restaurants, dining halls, cafes, hotels, and all rooms thereof, and all other places where food is prepared, stored or served to patrons. They shall also have power and authority to open any package, can or vessel containing or supposed to contain any article manufactured, sold or exposed for sale or held in possession with intent to sell in violation of the provisions of this ordinance or other laws of this city, and may inspect the contents thereof, and may take samples therefrom for analysis. All dealers, clerks, bookkeepers, express agents, railroad officials, employees or common carriers shall render to them all the assistance in their power, when so requested, in tracing, finding or discovering the presence of any article prohibited by law, and in securing samples the reof as herein provided for.

## SECTION 92. FOOD INSPECTION. (Continued.)

It shall be unlawful for any such dealers, clerks, bookkeepers, express agents, railroad officials, employees, or common carriers, to fail, refuse or neglect to render such friendly aid, or to furnish such sample for analysis, as above provided.

## SECTION 93. SAMPLE TO BE MARKED OR SEALED.

The person taking such sample, as provided for in this chapter, shall mark or seal such sample with a paper seal or otherwise, and shall write his name thereon, and number said sample so as properly to identify the same, and shall tender to the manufacturer or vendor of such article or product, or the person in whose control or possession such article or product may be at the time the same is taken, the value thereof, but if the person from whom such sample is taken shall request him to do so, he shall at the same time and in the presence of the person from whom the same is taken, seal with proper seals or otherwise two samples of the article taken, on each of which said samples, or in the seals placed thereon, shall be placed the name of the person taking said sample and also the number above provided for, the one of which sample shall be delivered to the person from whom the same is taken, and the other shall be taken by the person so procuring the same to the board of health, for delivery to the city bacteriologist, the city chemist, or other competent person appointed for the purpose of making examinations or analysis of samples so taken.

## SECTION 94. BEEF AND COWS TO BE INSPECTED.

It shall be unlawful for any person to sell, offer for sale or have in his possession with the intent to sell any beef or cows without first having the same inspected by the board of health or their duly authorized agent.

## SECTION 95. WHEN DEEMED ADULTERATED.

For the purpose of this chapter an article shall be deemed to be adulterated: In the case of foods:

1. If any substance has been mixed or packed with it so as to reduce or lower or injuriously affect its quality or strength.
2. If any substance has been substituted wholly or in part for the article.
3. If any valuable constituent of the article has been wholly or in part, abstracted.
4. If it be mixed, colored, powdered, or stained in a manner whereby damage or inferiority is concealed.
5. If it contain any added substance or ingredient that is poisonous or injurious to health.

## SECTION 95. WHEN DEEMED ADULTERATED. (Continued)

6. If it contains any added antiseptic or preservative substance except common table salt, salt peter, cane or beet sugar, vinegar, spices, or wood smoke; provided, that when in the preparation of food products for shipment they are preserved by any external application applied in such a manner that the preservative is necessarily removed mechanically or by maceration in water or otherwise, and the directions for the removal of said preservative shall be printed on the covering of the package, the provisions of this chapter shall be construed as applying only when the said products are ready for consumption.

7. If it consist in whole or in part of a filthy, decomposed, or putrid animal or vegetable substance, or any portion of any animal unfit for food, whether manufactured or not, or if it is a product of a diseased animal, or one that has died otherwise than by slaughter.

8. If it be sweetened by saccharine or other artificial sweetening.

In the case of confectionery:

If it contain terra alba, barytes, talc, chrome yellow, paraffine, or other mineral substance or poisonous flavor, or color, or other ingredient deleterious or detrimental to health, or any vinous, malt, or spiritous liquor, or compound or narcotic drug.

In the case of drugs:

If its strength or purity falls below the professed standard or quality under which it is sold.

## SECTION 96. PERMIT. INSPECTION FEE.

It shall be unlawful for any person to engage in the manufacture or sale of any food products for human consumption, without first obtaining a permit from the board of health of Park City and paying for and obtaining the license required by the provisions of

An inspection fee of one dollar shall be charged for each permit issued. Such permit shall be presented with the application for a license to conduct such business, and no such license shall be issued unless accompanied by such permit.

## SECTION 97. STANDARD OF WHOLESOME FOOD DEFINED. SALE OF UNWHOLESOME FOOD PROHIBITED.

The standards of quality, purity and strength of food, liquors, and drinks that have been or shall hereafter be adopted by the United States department of agriculture are hereby declared to be the standards of purity and strength of foods, liquors and drinks in Park City, and said standards of quality, purity and strength of food, liquors and drinks adopted by the United States department of agriculture are hereby made a part of this ordinance, except where otherwise particularly specified.

## SECTION 97. Continued.

It shall be unlawful for any person to bring or cause to be brought within the limits of Park City, or offer for sale, or sell, or have in possession for sale either at wholesale or retail in any private or public market, or other place in said city, any meat, fowl or fish that died by disease or accident, or any article of food intended for human consumption, except such as is healthy, fresh, sound, wholesome and safe for human food.

## SECTION 98. UNWHOLESOME FOOD OR DRINK AND SANITARY CONDITION OF RESTAURANTS, HOTELS, ETC.

It shall be unlawful for the manager or keeper of any hotel, restaurant, boarding house, or other public place where food or drink is sold, or for any clerk, agent or servant therein to offer or keep for food or drink, or to be eaten or drunk, any deleterious or unwholesome substance; and whenever it is determined by said inspector that filthy or unsanitary conditions exist, or are permitted to exist in the operation of any hotel, restaurant, or boarding house, or other public place where food or drink is sold, or any place where any food or drink products are manufactured, stored, deposited, sold or offered for sale for any purpose whatever, the proprietor or proprietors, owner or owners of such restaurant, hotel, bakery, confectionery, or any persons owning or operating any plant where food or drink products are manufactured, stored deposited, sold or offered for sale, shall be first notified and warned by the inspector to place such restaurant, hotel, bakery, confectionery, or ice cream plant or any other place where food or drink products are manufactured, stored, deposited, sold or offered for sale, in a sanitary condition within a reasonable length of time; and any person or persons owning or operating such restaurant, hotel, bakery, confectionery or ice cream plant, or any place where any food or drink products are manufactured, stored, deposited, sold or offered for sale, failing to obey such notice and warning shall be guilty of a violation of this ordinance.

## SECTION 99. UNLAWFUL TO WORK IN BAKERY WITH COMMUNICABLE DISEASE.

It shall be unlawful for any person affected with tuberculosis, syphilis, or any communicable disease to be employed in any bakery, hotel or restaurant as cook or waiter or in any other capacity which requires the handling of food.

## SECTION 100. SALE OF CALF, PIG OR LAMB UNDER CERTAIN AGE PROHIBITED.

It shall be unlawful for any person to bring or cause to be brought within the limits of Park City, or to offer or hold for sale as food within said city, any calf, pig or lamb or the meat thereof, which at the date of killing, being a calf, was less than four weeks old, or being a lamb, was when killed less than eight weeks old, or being a pig, was when killed, less than five weeks old.

SECTION 101. SALE OF DISEASED CATTLE AS FOOD PROHIBITED.

It shall be unlawful for any person to kill or cause to be killed for human food, any cattle in any feverish or diseased condition, and all such diseased cattle within the limits of Park City and the place where found, and their disease, shall be at once reported to the board of health by the owner or custodian thereof.

SECTION 102. FEEDING SWINE ON UNWHOLESOME FOOD PROHIBITED.

It shall be unlawful for any person owning, swine to feed or permit the feeding of the same upon meat, blood or entrails in a putrid or decayed state, or upon any food calculated to engender disease in the flesh of such animal.

SECTION 103. PUTRID MEAT, FISH, GAME OR FOWL AS FOOD.

It shall be unlawful for any person to hold for sale, offer for sale or buy for food, or sell, or have in his possession with intent to sell, or hold or keep in any market, public or private, or in any public place, any cased, blown, raised, stuffed, putrid, impure or unwholesome meat, fish, game or fowl.

SECTION 104. UNWHOLESOME MEAT TO BE DESTROYED.

It shall be unlawful for any person to expose for sale or sell in any market, house, shop, or elsewhere, any tainted, putrid, or unwholesome meat or provisions; and it shall be and is hereby made the duty of the inspector forthwith to seize and confiscate all such meat or provisions.

~~SECTION 105. WATER FOR DRINKING PURPOSES.~~

It shall be unlawful for any person to allow to run or pass into any water pipe, any animal, vegetable or mineral substance whatever, or to do or permit to be done, any act or thing that will imperil the impurity of any water used for drinking purposes.

SECTION 106. HAULING OF MEATS IN OPEN VEHICLES PROHIBITED.

It shall be unlawful for any person to haul or transport meat or meat products into Park City for resale at either wholesale or retail markets, or for public consumption in an open vehicle, but in all cases where meat or meat products are hauled or transported into Park City for such purposes, it must be hauled or transported in clean, sanitary and closed in vehicles and securely wrapped in clean, dustproof covers and protected from all flies, insects, dust and all substances or things that may cause contamination of the meat or meat products.

## SECTION 107. ICE. APPLICATION TO SELL.

It shall be unlawful for any person to engage in the business of retailing and selling any ice from house to house, or to hotels, restaurants, or other places where such ice, so sold and delivered, may be used in contact with articles of food or drink (which use is hereinafter referred to as "domestic use"), without first filing annually a written application with the board of health for a permit therefor, stating in such application the place or places where such ice is to be, or has been cut or gathered, the means of delivery, the location of the storage thereof, or places from which such ice is to be delivered, and the quality of the ice intended to be sold. Such application shall be verified by the oath of the applicant; or if the applicant is a firm or corporation, by the oath of a member of the firm or some officer of the corporation; and the person verifying shall state under oath that the matters stated in the application are true. Such application shall be likewise accompanied by a fee of \$1.00, which upon issuance of the permit referred to, shall be covered by the board of health into the city treasury. Upon refusal of such permit by the board of health, the fee deposited shall be returned to the applicant.

## SECTION 108. STANDARD FOR DOMESTIC ICE.

All ice to be sold and delivered within Park City for domestic use, shall be pure and healthful ice, free from matter deleterious to health; and such ice is hereby defined to be ice which, upon chemical and bacteriological examination, shall be found free from nitrate, nitrites and pathogenic bacteria, and to contain not more than sixteen one-hundredths of one part of free ammonia, and nine one-hundredths of one part of albuminoid ammonia in one million parts and in respect to which the loss of ignition shall be less than one-half of the total solids, and the oxygen consumed shall not exceed two and one-half parts in one million.

## SECTION 109. SALE OF ICE FOR DOMESTIC USE.

It shall be unlawful for any person to sell or deliver any ice for domestic use, without first having obtained from the board of health the permit specified in this chapter, and under any circumstances, to sell or deliver, for domestic use, any ice which shall have been taken from any lake, pond, river, stream or other body of water, wherever located, which is defiled by sewage, garbage, ashes, decaying vegetation refuse or wastes from any industry, or by any other substances tending to make water impure and unhealthful, according to the standard fixed by this chapter.

## SECTION 110. INSPECTION OF ICE, ETC.

It shall be the duty of the said board of health to examine, or cause to be examined, from time to time, the places where ice is to be gathered, or has been gathered, for sale and delivery within said city, and all places where such ice may be stored or kept, and every vehicle in which the same may be delivered, on any part of its route from the place where it is gathered to the final customer; and to examine or cause to be examined from time to time, ice so sold or delivered, or to be sold

## SECTION 110. INSPECTION OF ICE, ETC. (Continued.)

or delivered, so far as he may deem necessary or expedient to ascertain whether such ice is pure and healthful and free from matter deleterious to health according to the standard prescribed, and if, upon such examination, it shall be found that any person, firm, or corporation has sold and distributed, or is selling and delivering any ice for domestic use below said standard, or any ice contrary to the provisions of this chapter, the said inspector shall cause every such offender to be prosecuted; provided, that in all cases where ice is so taken for examination, such sample shall be taken with the knowledge of the person in charge of said ice or ice wagon.

## SECTION 111. IMPURE ICE FOR COOLING PURPOSES.

This chapter shall not be construed to prohibit the sale or delivery of impure ice to be used only for packing and cooling purposes; that is to say, for use in refrigerators, refrigerator cars, freezing machines, rooms or other places where food or drink is stored and does not come in contact with such ice; provided, that a permit to sell, deliver or use impure ice for the purposes aforesaid, and for no other purpose, shall be first obtained and in the manner and upon payment of the fee prescribed. Whenever any impure ice for packing or cooling purposes shall be sold or delivered from any wagon or vehicle, the driver or other person in charge thereof shall carry a supply of printed cards on which shall be printed in large, legible letters the words "Ice for packing and cooling purposes only. Not for domestic use," and he shall hand with each delivery of such ice, one such card to each customer, or to the person who receives such ice, and shall take at the same time a receipt which shall be given him by such purchaser or recipient, on which receipt said words shall be similarly printed. It shall be unlawful to sell or deliver any ice for packing or cooling purposes without such permit, or otherwise than in conformity with the provisions of this section.

## SECTION 112. PERMIT FOR SLAUGHTER HOUSES.

It shall be unlawful for any person to slaughter any animal or to erect or maintain any slaughter house or yard, or to engage in the business of slaughtering at any place within the corporate limits of Park City, or within one mile of the corporate limits of said city, without obtaining a special permit from the board of health, but no such permit shall be issued or be granted unless the applicant shall have complied with the provisions of this ordinance and rules of the board of health of Park City; provided, that no permit heretofore or hereafter issued shall operate to prevent the revocation of such permit or the removal or abatement of any such slaughter house or yard by the city council. No building shall be erected or converted into, or used as a slaughter house in Park City or within one mile of the corporate limits thereof until the plans and specifications thereof have been duly submitted to the board of health, and approved in writing by said board. No building on the same lot, within fifty feet of said slaughter house, shall be used or occupied at any time as a dwelling or lodging place, and every such slaughter house shall at all times be suitably lighted and kept thoroughly ventilated and maintained in a sanitary condition, and shall be provided with efficient drain-

age, having properly trapped or other approved sewer connections. Ceilings, walls, pillars and partitions of all killing, meat dressing, and cooling rooms shall be kept in a sanitary condition and the walls of such rooms must be covered to the height of six feet above the floor with some non-absorbent material; all floors where any meat refuse, offal, fertilizer or any other materials derived directly or indirectly from slaughtering animals, are treated or handled must be made water tight, properly drained and sewer connected.

SECTION 113. PERMIT FOR SLAUGHTERING ANIMALS.

It shall be unlawful for any person within the limits of Park City to engage in the business of slaughtering animals for food, packing them for market or rendering the offal, fat bones or scraps from such animals or dead carcasses, or any animal matter whatsoever, or to engage in the manufacture or production of glue, or the cleaning or rendering of intestines unless he shall have obtained a permit from the board of health.

SECTION 114. CLOTTED BLOOD NOT TO FLOW IN SEWERS.

Clotted blood from slaughtered animals must not be allowed to flow into a sewer, but while still fresh must be treated so as not to become offensive.

SECTION 115. OFFENSIVE ODORS FROM HANDLING MEATS.

All offensive odors arising from the handling of meat and treating of and caring for offal, blood or other material stored or manufactured must be cared for by destruction or condensation and not allowed to escape into the outside air.

SECTION 116. EMPLOYEES TO BE CLEAN.

Persons in charge of establishments must require employees to be clean. The aprons, smocks, or other outer clothing worn by employees who handle meat and meat food products shall be of a material that is readily cleansed and made sanitary, and only clean garments shall be worn. Persons who handle meat or meat food products shall be required to keep their hands clean, and they shall be required also to pay particular attention to the cleanliness of their boots or shoes.

SECTION 117. PERSONS AFFECTED WITH COMMUNICABLE DISEASES.

Persons affected with tuberculosis, syphilis, gonorrhoea or any other communicable disease shall not be employed in any of the departments where carcasses are dressed, meat is handled, or meat food products are prepared; and any employee of such establishment who may be suspected of being so affected shall be reported by the inspector to the manager of such establishment and to the board of health of Park City.

SECTION 118. USE OF DISINFECTANT AFTER HANDLING DISEASED CARCASS.

Butchers who dress or handle diseased carcasses or parts shall cleanse their hands of all grease and then immerse them in a prescribed disinfectant and rinse them in clear water before dressing or handling healthy carcasses. All butchers' implements used in dressing diseased carcasses shall be sterilized either in boiling water or by immersion in a prescribed disinfectant followed by rinsing in clear water. Facilities for such cleansing and disinfection approved by the veterinary inspector shall be provided by the establishment.

SECTION 119. SANITARY TRUCKS.

Separate sanitary trucks which shall be appropriately and distinctively marked, shall be furnished for handling diseased carcasses and parts. Following the slaughter of any animals affected with an infectious disease stop shall be made until the implements have been cleansed and disinfected, unless other clean implements are provided.

SECTION 120. INFLATION OF CARCASSES, CARE OF SKEWER, ETC.

Carcasses shall not be inflated with air from the mouth, and no inflation of carcasses, except by mechanical means, shall be allowed. Carcasses shall not be dressed with skewers, knives and other instruments that have been held in the mouth. Skewers shall be disinfected and cleansed before being used again. Spitting on whetstones or steels when sharpening knives shall not be allowed.

SECTION 121. CLEAN WATER AND ICE ONLY TO BE USED IN PREPARATION OF CARCASSES.

Only good, clean and wholesome water and ice shall be used in the preparation of carcasses, parts, meats or meat food products, and each establishment shall be supplied with a water system furnishing hot and cold water under sufficient pressure to facilitate the cleansing of the establishment and the maintenance of the same in a sanitary condition.

SECTION 122. NOTICE TO BE GIVEN TO BOARD OF HEALTH.

When there is any doubt concerning the sanitary condition of the water supply or ice used in the slaughtering, dressing or preparation of meat or meat food products, notice shall be immediately given to the board of health.

SECTION 123. HOGS OR OTHER ANIMALS NOT TO BE FED ON SLAUGHTER HOUSE REFUSE.

The feeding of hogs or other animals on the refuse of slaughter houses or other unwholesome food, shall not be permitted, and no use incompatible with proper sanitation shall be made of any part of the premises on which such establishment is located. All yards, fences, pens, chutes and alleys belonging to the premises of such establishment, whether they are used or not shall be maintained in a sanitary condition, and no nuisance shall be allowed to exist in the establishment or on its premises.

SECTION 124. KILLING ROOMS SEPARATED FROM TANK ROOMS, ETC.

All tank rooms, water closets, urinals, toilet rooms and dressing rooms shall be entirely separated from compartments in which carcasses are killed or dressed, or meat, or meat products are cooled, cured, stored, packed, handled or prepared.

SECTION 125. PROPER TOILET FACILITIES REQUIRED.

Proper toilet facilities for all employees, including washstands with hot and cold water and sanitary water closets, shall be provided.

SECTION 126. WAGONS TO BE COVERED, ETC.

Wagons, cars, or vehicles in which meat or meat food products are transported, shall be covered and kept in a clean and sanitary condition.

SECTION 127. STAMP OF INSPECTOR TO BE ON MEAT SOLD IN PARK CITY.

It shall be unlawful for any person to sell, offer for sale, ship or bring to Park City with intent to sell, or have in his possession with intent to sell any meat or meat food products other than that bearing the official stamp of government inspection, or of the board of health, except as herein otherwise provided.

SECTION 128. UNLAWFUL TO SELL IMPURE MEAT.

It shall be unlawful for any person to bring into the city for sale, offer for sale, or sell the meat of any cattle, sheep, swine, fish, game, fowl, or poultry which is blown, tainted, heated, soured, raised, stuffed, putrid or impure or which for any other reason is unfit for human food.

SECTION 129. MEAT OF CERTAIN ANIMAL.

It shall be unlawful for any person to bring into the city for sale, or to sell, or offer for sale the meat of any cattle, sheep, swine, or game which, when killed, were within two weeks of parturition.

SECTION 130. MEAT OF DISEASED ANIMALS.

It shall be unlawful for any person to bring into the city for sale, or to sell, or offer for sale the meat of any cattle, sheep, swine, fish, game, fowl or poultry which may have died from accident or disease or which has not been properly killed or slaughtered, bled, cleaned and dressed.

SECTION 131. SLAUGHTERING ROOM FOR CHICKENS, DUCKS, ETC.

It shall be unlawful to use any room or place for the slaughtering or preparation for food of chickens, ducks, geese, turkeys, game birds, or other fowls, unless the same be provided with a cement floor at least ten by twelve feet in area, properly drained and sewer connected. The receptacle for scalding shall be provided with a hood and proper vent. The coops of such establishment shall be properly lighted, ventilated and kept in a sanitary condition.

SECTION 132. MEAT MARKETS:

It shall be unlawful to use any building, room or place as a meat market, unless the same be provided with a refrigerator of sufficient capacity to handle all meats and meat food products held for sale, the same to be maintained at a temperature of not more than fifty-five degrees Fahrenheit; such place shall be provided with suitable racks and receptacles for meats, and all utensils, hooks, hangers, racks and dishes shall be kept in a sanitary condition.

SECTION 133. STORAGE ROOMS TO BE CLEAN.

It shall be unlawful for any person having or holding for sale the meat of any cattle, sheep, swine, fish, game, fowl, or poultry to fail to keep the place in which such meat is stored or offered for sale in a clean and wholesome condition, free from noxious odors.

SECTION 134. MEAT AND OTHER FOOD PRODUCTS TO BE COVERED.

It shall be unlawful for any person, firm or corporation to keep for sale, offer for sale, or display inside or outside any building any meat, meat food products, or any other article of food intended for human consumption, except citrus fruits, fruits or vegetables, the rind or skin of which must be removed before eating, unless it be covered so as to protect them from dust, dirt, flies and other forms of contamination. Articles of food displayed outside of buildings, must be kept on platforms not less than eighteen inches high.

SECTION 135. REFRIGERATORS AND ICE BOXES TO BE SANITARY.

It shall be unlawful for any person to keep the carcass or meat of any cattle, sheep, swine, fish, fowl, game or poultry in any refrigerator or ice box, except such refrigerator or ice box be properly ventilated and maintained in a sanitary condition.

SECTION 136. CONDEMNED MEAT NOT TO BE SOLD.

It shall be unlawful for any person to sell, hold for sale, or offer for sale, any cattle, sheep, swine, fish, fowl, game or poultry or the meat thereof, which has been condemned by a government inspector or by an inspector of the board of health.

SECTION 137. PERSONS HANDLING MEATS TO HAVE CLEAN<sup>d</sup>HANDS AND CLOTHING.

It shall be unlawful for any person engaged in the handling or preparation of meats or food products to fail to keep his hands and clothing in a sanitary condition.

SECTION 138. MEAT OFFERED FOR SALE TO BE INSPECTED.

It shall be unlawful for any person to bring into the city for sale, or offer for sale, or have in his possession with intent to sell, or to sell, any carcasses, parts of carcasses, or meat food products which cannot by marks, brands, labels or transfer slips be identified as having been duly inspected and passed by an inspector of the board of health, or by a government inspector; except as otherwise provided in this chapter.

SECTION 139. MEAT IN SLAUGHTER HOUSES.

It shall be unlawful for any slaughtering establishment, or any person in charge of any slaughtering establishment, to suffer or permit to enter such establishment any carcass or parts of carcasses, or meat food products which cannot by marks, brands, labels or transfer slips be identified as having been duly inspected and passed by an inspector of the board of health or by a government inspector.

SECTION 140. MEAT TO BE COVERED WHILE BEING TRANSPORTED THROUGH STREETS.

It shall be unlawful for any person to carry or transport through any street, alley or thoroughfare the carcass or meat of any cattle, sheep, swine, fish, game, fowl, or poultry, except to be covered with a clean cover so as to be thoroughly protected from dust and dirt.

SECTION 141. ANIMALS TO BE KEPT IN SANITARY PLACES.

It shall be unlawful for any person to keep any cattle, sheep, swine, game, fowl or poultry in any place in which water, food and ventilation are not sufficient for the preservation of a healthy and safe condition.

SECTION 142. SLAUGHTERING OF ANIMALS ON WEEK DAY.

Slaughtering of animals and preparation of meats and meat food products shall be conducted on week days, and shall be done within reasonable hours and with reasonable speed, the facilities of the establishment being considered, except in certain cases of emergency, when permission to slaughter may be granted by the board of health. Managers of establishments shall inform the board when slaughter has been concluded for the day, and the hour in which it will begin on the following day.

SECTION 143. HOURS FOR WORK.

When one inspector is detailed to conduct the work at two or more establishments, the board of health may designate the hours of work.

## SECTION 144, ANTE-MORTEM EXAMINATION.

An ante-mortem examination shall be made of all animals intended for slaughter at abattoirs, when said animals are weighed; or if not weighed, this inspection shall be made in the pens. All animals found upon ante-mortem examination to be affected with any of conditions or diseases named below shall be marked by placing in the ear a metal tag bearing the words "Park City Rejected", and a serial number or by such other marks as may be necessary to insure their identification.

- (a) Hog Cholera
- (b) Anthrax or Charbon.
- (c) Rabies.
- (d) Malignant epizootic catarrh
- (e) Pyaemia and septicemia.
- (f) Mange, or scap (unless the animals are satisfactorily dipped).
- (g) Actinomycosis, or lumpy jaw.
- (h) Pneumonia, pleurisy, enteritis, peritonitis, and metritis.
- (i) Texas Fever.
- (j) Tuberculosis.
- (k) Hemorrhagic Septicemia.
- (l) Blackleg.
- (m) Animals in advanced stage of pregnancy (showing signs of parturition), or which have recently (within ten days) given birth to young.
- (n) Any disease or injury, which causing elevation of the temperature or affecting the system of the animal, will make the flesh unfit for human food.
- (o) Animals too young and immature to produce wholesome meat.
- (p) Animals which are badly bruised, injured, or show tumors, abscesses or suppurating sores.
- (q) Animals too emaciated and anemic to produce wholesome meat.

Such rejected or condemned animals shall at once be removed from the pens containing animals which have been inspected and found to be free from disease and fit for human food, and shall be disposed of to the satisfaction of the food inspector.

**SECTION 145. INSPECTION IN PENS.**

When animals are not inspected in the stockyards, the inspector in charge of the establishment shall carefully inspect all animals about to be slaughtered in the pens of said establishment, and no animals shall be allowed to pass the slaughtering room until it has been inspected.

**SECTION 146. REJECTED ANIMALS.**

Animals rejected when showing signs of preparation for parturition shall not be slaughtered, not for ten days after parturition. Pregnant and parturient animals may be removed by permit for stock or dairying purposes, except when they are affected with or have been exposed to the contagion of any disease.

**SECTION 147. ROOMS TO BE PROVIDED FOR CONDEMNED CARCASSES.**

All inspected abattoirs shall provide a suitable room in which condemned carcasses and parts shall be held until such time as the inspector, or his assistant, may be present to supervise the tanking thereof. Such rooms shall be arranged for locking with a padlock, which will be furnished by the health office, the key to the same to remain in the possession of the inspector or his assistant.

(a) If, after inspection has been established a reasonable length of time, the abattoir management does not provide a suitable retaining room of sufficient size, or fails to tank condemned carcasses regularly on the date of their condemnation, such condemned carcasses shall be saturated with kerosene, as described below, and locked on the rail pending their final disposition.

**SECTION 148. CONDEMNED CARCASSES TO BE TANKED.**

All condemned carcasses and parts shall be tanked as follows:

After the lower opening of the tank has been sealed by an inspector, the condemned carcasses and parts shall be placed in the rendering tank in the morning, and immediately a sufficient force of steam shall be turned into the tank to destroy effectually the meat for food purposes before the killing for the day is completed; or the condemned portions may be placed in the tank at the close of the day, or when killing is suspended, and both ends of the tank sealed, after which steam shall be turned into the tank until the meat is destroyed. Wire and lead seals shall be provided by the health office for sealing tanks.

(a) A sufficient quantity of low grade offal (uteri, floor scrapings, trimmings from gutters and benches, skimmings from catchbasins, unemptied intestines, omassa, paunches emptied but not washed, etc.) shall be tanked with all condemned carcasses (except those tanked for lard), to effectually render the ultimate product unfit for human food, or if such offal cannot be obtained, the carcasses may be thoroughly slashed with a knife, then saturated with kerosene and placed in the tank.

SECTION 148. CONDEMNED CARCASSES TO BE TANKED. (Continued)

(b) The seals of tanks containing condemned material shall be broken by an inspector, and at other times satisfactory arrangements for the breaking of such seals shall be made with the inspector in charge.

SECTION 149. PERMIT FOR REMOVAL OF CONDEMNED CARCASSES.

When an establishment has no facilities for thus destroying condemned carcasses, such carcasses shall be removed from the premises upon numbered permit issued by the inspector in charge, to rendering works designated by him, and there destroyed under his supervision in the manner described above.

SECTION 150. CONDEMNED PARTS TO BE REMOVED.

Carcasses may be taken to the cooling room after marking with the condemnation card, in cases where only a portion of the carcass is condemned, and when such portion cannot be removed without damage to the carcass until it is properly chilled. After chilling, the condemned portions shall be cut out and removed to the tank or to the retaining room, as provided for whole carcasses. Condemned parts that can be removed without damage to the carcass, shall be tanked as described above.

SECTION 151. DISPOSAL IN PRESENCE OF INSPECTOR.

All condemned carcasses and parts shall be disposed of only in the presence of the inspector, and the report of the disposition shall be made by him upon the blank form provided therefor.

SECTION 152. INSPECTOR TO PRESCRIBE MANNER OF DISPOSAL OF CONDEMNED CARCASSES.

All carcasses or portions thereof that are condemned by the inspector shall be disposed of or rendered unfit for food in any manner that the inspector shall indicate. In case any person fails to comply with these instructions, the board of health shall have the power to revoke his permit

SECTION 153. UNLAWFUL TO REMOVE TAGS, ETC., FROM CONDEMNED CARCASSES.

No person shall remove tags, labels, or brands from the condemned carcasses, or parts thereof.

SECTION 154. RECORD OF LABELED CARCASSES TO BE KEPT.

Carcasses or parts of carcasses which leave an establishment shall be marked by the inspector with the numbered label or brand issued by the health officer for this purpose, and a record of the same shall be sent to the health office.

## SECTION 154. RECORD OF LABELED CARCASSES TO BE KEPT. (Continued)

(a) Carcasses or parts of carcasses which go into the cutting room of an abattoir, or are used for canning purposes, shall not be labeled. Those which are to be shipped from one abattoir to another for canning shall not be labeled.

(b) Managers of abattoirs shall give due notice to the inspector or his assistant of all intended shipments and of all expected receipts of meat in cars, and no meat or meat products shall be received at an establishment unless the inspector or his assistant has full knowledge concerning the same.

(c) The seals upon cars in which meat is received at abattoirs may be broken when it is necessary to unload such cars during the absence of the inspector or his assistant; provided, the seals which are broken, together with a memorandum of the initials, number and contents (pieces and weight) of such car be properly delivered by the owners or managers of the abattoir to the inspector or his assistant.

## SECTION 155. FOOD MADE FROM INSPECTED CARCASSES TO BEAR LABEL.

Each article or food product, whether in cans, barrels, firkins, kits, boxes, canvas, or other wrappers, made from inspected carcasses, shall bear a label containing the official number of the establishment from which the product came, and also a statement that the same has been properly inspected.

## SECTION 156. CARE OF STAMPS, TAGS, LABELS, ETC.

No stamps, tags, labels, etc., shall be allowed to remain loose about the abattoir or office, and the inspectors are instructed to use such additional safeguards as in their judgment will be necessary properly to account for every stamp, tag, label, etc., issued, and to have the work of affixing so carefully supervised that nothing but inspected products will be marked.

(a) Any stamps, tags, seals, or labels, damaged or not used shall not appear upon the reports as having been affixed to inspected articles, but shall be returned to the inspector in charge and report made as to the reasons for their return.

(b) No meat food products shall contain any substance which lessens its wholesomeness, nor any drug, chemical or dye (unless specifically provided herein), or preservative, other than common salt, sugar, wood smoke, vinegar, pure spices, and saltpeter. Inspection and sampling of prepared meats and meat food products by employees of the board of health, shall be conducted in such a manner and at such times as may be necessary to secure rigid enforcement of this regulation.

## SECTION 157. DAILY REPORTS REQUIRED.

Reports of the work of inspection carried on in every establishment shall be daily forwarded to the health office by the inspector in charge, on such blank forms and in such manner as may be specified by the board of health.

## SECTION 158. CHANGES IN FIRM NAMES.

The board of health shall be promptly notified of any changes in the firm names of establishments, or whenever any abattoir suspends operations.

## SECTION 159.

Carcasses of veal or spring lamb which have not been killed under government or Park City inspection may be admitted into the city, but before being sold shall be inspected and passed by an inspector of the board of health.

The regulations governing meat inspection of the United States department of agriculture shall be the standard government meat inspection in Park City, except as otherwise provided in this chapter.

## CHAPTER VIII

BUILDINGS AND STRUCTURES.

## SECTION 160. DUTIES OF INSPECTOR OF BUILDINGS.

It shall be the duty of the inspector of buildings, when called upon, to examine all public and private buildings, bridges, dams, locks, gates, reservoirs, aqueducts or other works, and to certify to the strength, safety, workmanship and general condition of the same. He shall also, when requested, inspect all building material, which may be offered for sale, measure all buildings, building material, mason and mechanical work and when required, certify to the measurement thereof; which certificate shall be evidence of the things therein certified.

## SECTION 161. SAME.

Said inspector shall require the removal, or prevent the construction of any fireplace, chimney, hearth, stove or pipe in any building which may seem to endanger life or property, and shall see that all ordinances in relation to the strength and safety of public buildings are carried into effect.

## SECTION 162. INSPECTOR TO BE NOTIFIED.

It is hereby made the duty of every person, corporation or association about to erect any building within the limits of this city to notify the said inspector at least three days before commencing the same; and within the fire limits, every person, corporation or associ-

SECTION 162. INSPECTOR TO BE NOTIFIED. (Continued)

ation, before proceeding to erect any kind of building or to re-roof re-pair or alter any building already erected, shall notify the inspector and obtain his written permit therefor; and all such buildings, repairs and alterations shall be subject to his inspection, and the applicant for such permit shall state the exact site to be occupied, the material, dimensions and estimated cost of the proposed building or structure, and the probable time to be occupied in building it. The said inspector shall thereupon, after an inspection of the premises, or without an inspection, as he may see fit, issue a building permit to the applicant, giving him permission to erect a building or structure at the place and of the material, and authorizing the use of not more than one-third the roadway and one-half of the sidewalk in front of said premises and limiting the time said permit shall continue.

SECTION 163. INSPECTION OF PLANS AND SPECIFICATIONS,

The said inspector shall not issue a permit for the erection of any building to be used for public assemblies, until he has carefully inspected the plans and specifications thereof and ascertained that the building has sufficient strength and that the means of ingress and egress are sufficient; and a copy of said plans and specifications shall be deposited in the office of said inspector.

SECTION 164. APPEAL.

If in any case the inspector may see fit to prohibit the erection or alteration of any building, according to the plans as submitted, and such decision shall appear to the owner unreasonable, such owner shall have the right to appeal to the city council.

SECTION 165. PERMITS TO OWNER OR AUTHORIZED AGENT.

Permits provided for in this chapter shall be issued only upon application of the owner or authorized agent of the owner of the property to be built upon, or on account of which the digging or excavating is to be made. Ordinary repairs may be made without notice to the inspector. But such repairs shall not be construed to include the cutting away of any stone or brick wall, or any portion thereof; the removal of or cutting away of any beams, or the removal, change or closing of any staircase. Every application shall contain an agreement to save the city harmless from all costs and damages which may occur by reason of such use, occupancy, digging or excavating, as the case may be.

SECTION 166. INSPECTOR SHALL KEEP RECORD.

The inspector of buildings shall keep a record of all the permits issued, which shall be regularly numbered in the order of their issue, and shall also file and preserve in his office, the application upon which permits are issued. He shall also keep a record of the number, description and size of every building erected within the fire limits during his term of office, and of what material constructed, with the aggregate of the number, kind and cost of all buildings.

## SECTION 167. BUILDINGS NOT PROVIDED FOR.

The inspector of buildings shall have power to pass upon any question relative to mode, manner of construction, or material used in the erection, alteration or repair of any building in the city, where the same is not especially provided for herein, to make the same conform to the true intent, meaning and spirit of the several provisions hereof, where the same do not conflict.

## SECTION 168. FEES.

If upon consideration of such detailed statement or plans it shall appear to the inspector of buildings that the manner of erection, character of construction, and kind of material are in accordance with this chapter, said inspector shall thereupon grant a permit to make such construction or alteration, upon the payment of the following fees. In case the estimated cost of any building addition or alteration, shall not exceed the sum of one thousand dollars, the fee thereof shall be one dollar for such permit; for each additional one thousand dollars up to ten thousand dollars, fifty cents per thousand; above ten thousand dollars, twenty-five cents for each additional thousand, and for all other services than those specified he shall receive not to exceed fifty cents per hour to be paid by the parties requiring such service or in behalf of whose property the same shall be rendered. All fees collected by the inspector of buildings shall be paid into the city treasury quarterly.

## SECTION 169. FOUNDATIONS.

In all public and business buildings erected without basement walls, the foundation shall not be less than two feet below the ground, and upon solid bottom. The established depth of excavation for cellar and basement shall be and is hereby fixed at eight feet below the sidewalk grade in front of the same. Any person who shall excavate below the established depth shall at his own proper cost and charge, save and protect the owners of adjoining property from injury or damage resulting from such excavation. All foundation walls shall be of concrete, stone, or good hard brick, and shall be laid in good lime or cement mortar, and if constructed of stone or cement shall be at least four inches thicker than the wall next above them to a depth of ten feet below the ground level, where the walls exceed fourteen inches in thickness, and at greater depth may be increased in thickness at the discretion of the inspector of buildings; and if built of brick shall be at least four inches thicker than the wall next above to a depth of ten feet below the ground level, and at a greater depth may be increased in thickness as aforesaid.

## SECTION 170. WALLS OF BUILDINGS.

The walls of all business buildings, if brick, shall be approximately not less than the thickness (in inches) designated in the following table:

## SECTION 170. WALLS OF BUILDINGS. (Continued)

	B a s e m e n t	F i r s t	s e c o n d	T h i r d	F o u r t h	F i f t h	S i x t h	S e v e n t h
<b>Inclosing walls:</b>								
One story high	12	8						
Two stories high	16	12	12					
Three stories high	16	16	12	12				
Four stories high	24	20	16	16	12			
Five stories high	24	20	20	16	16	12		
Six stories high	24	20	20	20	16	12	12	
Seven stories high	28	24	24	20	20	16	16	16
4 stories less than 100 feet	24	20	16	12	12			
5 stories less than 100 feet	24	20	16	16	12	12		
6 stories less than 100 feet	28	24	20	20	16	16	12	
7 stories less than 100 feet	28	24	24	20	20	16	16	12
<b>Division walls:</b>								
Three story building	16	12	12	12				
Four story building	20	16	16	12	12			
Five story building	24	20	16	16	12	12		
Six story building	24	20	20	16	16	12	12	
Seven story building	24	20	20	20	16	16	12	12
<b>Front and Rear walls:</b>								
Four story building	20	16	16	12	12			
Five story building	20	16	16	12	12	12		
Six story building	24	20	20	16	16	12	12	
Seven story building	24	20	20	20	16	16	12	12
<b>Partition Walls:</b>								
One story building	12	8						
Two story building	16	12	12					
Three story building	16	16	12	12				
Four story building	20	16	16	12	12			
Five story building	20	20	16	16	12	12		
Six story building	24	20	20	16	16	12	12	

## SECTION 171. PREVENTION OF FIRES.

It shall be the duty of the inspector of buildings to examine carefully, under the direction of the city council, any cause from which immediate danger of fire may be apprehended, and to recover or abate, with the consent of the city council, in case of the neglect or refusal of the owner or occupant, any cause from which danger may be apprehended, and to cause all buildings, chimneys, stoves, pipes, hearths, ovens, boilers, ash houses, and other apparatus used in any building which shall be found in such condition as considered unsafe, to be without delay, at the expense of the owner or occupant thereof, but in such condition as not to be dangerous in causing or promoting fires.

## SECTION 172. FIRE LADDERS AND STAND PIPES.

The city council may, at its discretion, require fire ladders and stand pipes to be placed upon any building now existing or which may hereafter be erected; such fire ladders and stand pipes to be placed on such part of said building as said council may direct; such stand pipes to be two and one-half inches in diameter and equipped with a valve of the same size at each story and at the roof.

## SECTION 173. DANGEROUS WALLS AND UNSAFE BUILDINGS.

It shall be the duty of the inspector of buildings, whenever, in his opinion, any wall, or any part of a burned building is dangerous to life or property, or when any building shall be deemed unsafe or dangerous for the purpose for which it is used, or shall be in danger of fire from any defect in its construction, to notify the owner, agent, or occupant of such building in writing, specifying of what the danger consists, or wherein the building is unsafe or defective. Upon the receipt of such notice, it shall be the duty of such owner, agent, or occupant to immediately put such building in safe condition or to forthwith pull down or secure such wall or dangerous part of a burned building, and it shall be unlawful for him to neglect or fail so to do.

## SECTION 174. INTERFERENCE WITH INSPECTOR.

It shall be unlawful for any person to interfere with, molest or hinder the inspector of buildings, or his agents, servant, or employees while in the discharge of official duties.

## SECTION 175. AWNINGS.

No awning shall be constructed on or over any of the sidewalks within the limits of this city except as hereinafter provided. All canvas awnings shall be affixed to and suspended from the building, and shall not project over the sidewalk more than eight feet, and no part thereof shall be less than eight feet above the grade of the sidewalk. The deck or roof of said awnings shall be water tight, and within the fire limits be covered with metal or other incombustible material, and shall not be less than ten feet above the grade of said sidewalk. The whole shall be constructed in a safe and substantial manner to the acceptance of the inspector of buildings. Provided that awnings constructed of wood are hereby prohibited within this city.

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## SECTION 176. SIGNS.

No sign except electric signs erected by consent of the city council, nor sign post of any description or design shall hereafter be erected on any sidewalk, project over, across or along the outer edge of any sidewalk, or across any water ditch or on or over any street, or be allowed to project from the building to which it is attached over the sidewalk more than three feet; and all projecting signs not to be less than eight feet above the grade of the sidewalk. All signs above mentioned erected within this city shall be securely fastened to the building so as not to endanger person or property.

## SECTION 177. NUISANCES.

All awnings and all sign posts or sign boards of any design or description now standing on sidewalks, projecting over or across the sidewalks or water ditches, or on the streets and outside of water ditches within this city, except such as are in accordance with the provisions of this chapter, are hereby declared to be nuisances, and shall be immediately removed.

## SECTION 178. WINDOWS AND STORE FRONTS.

It shall be unlawful for any person to erect any bay window which shall project over any sidewalk within the limits of this city more than twenty-four inches, and no parts of such bay window shall be less than ten feet above the grade of the sidewalk. It shall be unlawful to construct store fronts or show windows, within the limits of this city, which shall project into any sidewalk beyond the property line unless permission therefore is granted by unanimous vote of the city council, and no permission shall be granted by the city council for any projection to exceed twelve inches into any sidewalk beyond the property line.

## SECTION 179. PENALTY.

Any person who either as principal, agent, clerk, employee or servant, violate, disobeys, neglects, omits, or refused to comply with any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine of not more than fifty dollars, or by imprisonment in the city or county jail not more than thirty days, or by both such fine and imprisonment; and every omission or neglect of the thing commanded to be done, and every continuance of any act or thing prohibited by this chapter, for each days omission, neglect or continuance, after such notice shall be deemed a separate offense committed and shall be punished accordingly.

## CHAPTER IX

CHIEF OF THE FIRE DEPARTMENT.

## SECTION 180. APPOINTMENT.

The mayor, with the advice and consent of the council, shall appoint a chief of the fire department, who shall qualify by filing a bond with the city recorder in the sum of five hundred dollars, unless the office is held by the city marshal in which event no bond other than that of city marshal shall be required, conditioned upon the faithful performance of his duty, and shall take and subscribe the constitutional oath of office.

## SECTION 181. OFFICE MAY BE HELD BY MARSHAL.

The office of chief of fire department may be held by the city marshal.

## SECTION 182. DUTY AND POWER.

The duty of extinguishing fires, and of protecting life and property within the city is entrusted to the chief of the fire department. He may divide the city into fire districts, and make such rules and regulations, subject to the approval of the mayor and city council, for the government of all officers and members of the fire department, as he may deem expedient. He may make suitable regulations under which the officers and members of the department shall be required an appropriate uniform or badge, by which, in case of fire and in other times, their authority and position in the fire department may be known. Under the direction and with the approval of the city council, he may purchase extinguishers, hose carriages, hooks and ladders, trucks and all other apparatus and supplies necessary for the fire department. The chief shall have sole and entire command over all officers and members of the department at fires. He shall have full charge at all times of all apparatus and appurtenances belonging to the department, and he shall adopt such measures as he shall deem expedient for the extinguishment of fire, protection of property, or preservation of order and the observance of the laws of the state, ordinances of the city, and regulations of the city council. It shall be the duty of the chief of the fire department to examine into the condition of all houses and other structures, and of all apparatus and appurtenances belonging to the department, and to inspect engines, hose and hook and ladder equipment.

## SECTION 183. SPECIAL DUTY.

It shall be especially the duty of the chief of the fire department to see that at all times the provisions of these ordinances relating to the protection and regulation of property are strictly enforced, as also all provisions of these ordinances for the prevention of, and protection against fires.

SECTION 184. INVESTIGATION AFTER FIRES. REPORT.

The chief, or in his absence, his assistants in charge of the fire, shall, after its extinguishment, make a prompt and thorough investigation of the cause of the fire, the time of the breaking out, the amount of loss and insurance, a description of the effected buildings and premises, and shall secure all other useful information and data available, and record the same in a record book kept for that purpose in the office of the department, and shall report the same to the city council at its first regular meeting after said fire.

SECTION 185. POWER TO REMOVE.

The chief of the fire department shall have power to remove any officer or member of the department at any time he sees fit, and in case of such removal, he must report same, together with the cause for such removal, to the council at the next regular meeting.

SECTION 186. APPOINTIVE POWER.

The chief is authorized to appoint three hose company foremen who shall have charge of their respective teams, and whose appointment shall be reported to the city council at its next regular meeting succeeding such appointment.

SECTION 187. SALARY. WHEN AND HOW PAID.

The salary of the chief of the fire department shall be fixed by resolution of the city council from time to time, and shall be paid from the general funds of the city upon warrant drawn upon the city treasurer.

SECTION 188. FIREMEN AT THEATRES; ETC.

The chief of the fire department shall have the power to assign to duty one or more firemen upon the stage of any theatre, public hall, lecture room or other place where large audiences are assembled; such firemen on duty shall have the power to prohibit smoking, careless handling of torches, red fire, electric light apparatus, gas jets or any combustible material. It shall further be the duty of such firemen to prohibit the storage of scenery, stage furniture, baggage or other properties in such a manner as will interfere with the apparatus used for the extinguishing of fires. It shall be the duty of the owner, agent, occupant or lessee of all theatres to admit members of the fire department through the stage entrance of such theatres when assigned to duty by the chief of the fire department.

## CHAPTER X

CITY COUNCIL

## SECTION 189. MEETINGS AND QUORUM.

The City Council shall be composed of the mayor, and five councilmen, elected as provided by law; it shall hold stated meetings on the first and third Thursday of each month at the city hall, convening at 8:00 o'clock P.M. and adjourned meetings may be held from time to time as circumstances may require. A majority shall form a quorum to do business. The mayor, or any two councilmen may call special meetings by giving a notice of such meeting to each member thereof served personally, or left at his usual place of abode.

## SECTION 190. ATTENDANCE MAY BE COMPELLED.

When there are not enough members of the Council present at any of these meetings to form a quorum, the members present are hereby empowered to compel the attendance of absent members, and may, when necessary, direct the marshal to bring in such absent members under arrest.

## SECTION 191. FINE.

Should any member of the council refuse to neglect to attend any meeting of the council when notified by the marshal, or other proper officer, that his attendance is necessary to form a quorum unless he shall present an excuse satisfactory to the council at its next regular meeting, or should any member leave the council when in session, when such leaving would break the quorum, he shall be guilty of a misdemeanor and upon conviction thereof he may be fined in any sum not to exceed fifty dollars.

## SECTION 192. VACANCY.

Whenever from any cause there shall exist a vacancy in the office of mayor or councilman, the city council shall fill the same by appointment for the unexpired terms.

## SECTION 193. SHALL KEEP A JOURNAL.

The city council shall set with open doors and keep a journal of its own proceedings.

## SECTION 194. WHEN YEAS AND NAYS SHALL BE TAKEN.

The yeas and nays shall be taken upon the passage of all ordinances and all propositions to create any liability against the city, and in all other cases at the request of any member, which shall be entered upon the journal of its proceedings; and a concurrence of a majority of the members elected to the city council shall be necessary to the passage of any such ordinance or proposition.

SECTION 195. RECONSIDERATION OF VOTE.

No vote of the city council shall be reconsidered or rescinded at a special meeting unless at such special meeting there be present as large a number of councilmen as were present when such vote was taken.

SECTION 196. REPORTS.

Upon request of any two members of the council any report of a committee of the council shall be deferred for final action to the next regular meeting of the council after the report is presented.

SECTION 197. RULES.

The city council may from time to time make such rules for the government of its proceedings as it may deem necessary and proper.

SECTION 198. MAY PUNISH OR EXPEL ITS MEMBERS.

The city council may punish its members for disorderly conduct and with the concurrence of two-thirds of the members of the council expel a member for cause, but no member shall be removed for cause unless furnished with copy of the charge against him; and afforded an opportunity of being heard in his own defense; and the council shall have the power to compel the attendance of witnesses, and the production of papers when necessary for the purpose of such hearing.

SECTION 199. MAYOR PROTEM.

During the temporary absence or disability of the mayor, the city council shall elect one of its members to act as mayor protem, who, during such absence or disability, shall possess the power of mayor.

SECTION 200. COUNCILMEN NOT TO HOLD CREATED OFFICE.

No member of the city council shall hold or be appointed to any office which shall have been created, on the salary or emoluments which shall have been increased while he was a member during the term for which he was elected, and for one year after the expiration of such term.

## CHAPTER XI

CITY ELECTRICIAN.

## SECTION 201. APPOINTMENT.

The mayor, by and with the advice and consent of the council, may appoint a city electrician, who shall be qualified by experience or otherwise. His compensation shall be fixed by the city council by resolution or ordinance.

## SECTION 202. OATH. BOND.

The city electrician shall, before assuming the duties of the office, take and subscribe the constitutional oath of office and give a bond to the city in the sum of one hundred dollars.

## SECTION 203. DUTY OF CITY ELECTRICIAN.

(a) It shall be the duty of the city electrician to attend to the enforcement of this ordinance and to inspect and supervise the construction, installation and repairs of all electrical light or power wiring, appliances and apparatus in or on any building in the city, except as hereinafter provided. When ordered to do so, he shall also inspect all electric light and power wiring, appliances and apparatus heretofore installed as soon as practicable, and to require the correction of any defects therein which he may consider dangerous or apt to cause fire. No fee shall be charged for such inspection except the same be made upon request of the owner or user of said wiring, apparatus or appliances, in which case fee shall be paid by the person making the request for inspection.

(b) Subject to the confirmation of the council and approval by the mayor, he may employ such assistants as may be necessary.

(c) He shall inspect or cause to be inspected all work for which permits have been issued, within forty eight hours, excluding Sundays and holidays, after notice in writing by the contractor that the work is ready for inspection, which shall be after all enclosed plumbing, steam heating furnace work and gas fittings are in place. If necessary, inspection shall be made two or more times during the progress of installation, first when work is roughed in, and last when work is completed. He shall, by tag or otherwise, indicate work inspected, whether first or final, and the date thereof, which shall be done before the work is concealed by lath or otherwise.

(d) Upon application for inspection of any wiring, apparatus, or appliances, as hereinafter provided, the city electrician shall, after inspection and examination, issue a certificate, showing the result of such examination and require any necessary corrections.

## SECTION 203. DUTY OF CITY ELECTRICIAN. (Continued)

(e) If the city electrician shall find any part of any electric light or power wiring, apparatus or fixtures to have been installed without a permit and not in accordance with the provisions of this ordinance, or to be dangerous, he shall have the right and power to disconnect such defective wiring and place his seal upon it, and at the same time give written notice to the owner or occupant of the building of such disconnection. Said seals or seal shall remain until such wiring apparatus or fixtures are made to comply with the ordinance. It shall be unlawful for any person to use any current in, through or by means of such disconnected wiring, apparatus or fixtures, or to supply current thereto by means of other wires, or to remove, break or deface any seal so placed.

## CHAPTER XII

CITY CEMETERY, SEXTON.

## SECTION 204. OFFICE CREATED.

There is hereby created the office of city sexton, which office shall be filled by the city council.

## SECTION 205. SALARY.

The city sexton shall receive a salary of not to exceed \$90.00 per month, and payable at the time and place that all other salaries paid by the city are paid.

The city council may employ such other persons at the city cemetery as may be necessary, and at such salary as may be designated by said council

## Section 206. OATH. BOND.

The city sexton, before entering upon the duties of his office, shall subscribe the constitutional oath of office, and shall furnish a bond to the city in the sum of \$500.00, conditioned as provided by law

## Section 207. PERMITS

The city sexton, before burying the body of any deceased person in the city cemetery, or before permitting the removal of the body of any person buried therein, shall require the production of a permit from the board of health. After burial or removal, the sexton shall endorse upon the permit the initial letter of the plat and the number of the block and lot where said body is buried, or from which said body has been removed, and shall forthwith return such permit to the board of health.

## Section 208. DUTIES

It shall be the duty of the sexton to take charge of the city cemetery and improve the grounds thereof, under the direction of the city council; to dig, or cause to be dug, all graves required for the burial of the dead therein, and keep a record of the same.

**Section 209. SALE OF LOTS, CERTIFICATE. PRICE.**

The sexton is hereby empowered to sell lots in the city cemetery, and to collect all dues arising from such sale, and all money so collected by him shall be paid into the city treasury daily. The city council is hereby empowered to regulate, according to location, the selling price of said lots. The size of the lots being as follows: Full lot, Not less than nine feet wide by thirteen feet long and not more than nine feet wide and sixteen feet long. Single burying plot shall be not less than 3ft.X9ft., and shall be not more than 4ft.X 9ft. Graves for children shall be 2ft.x4ft.

The price of each lot shall be set by the city council.

The sexton may sell lots and he shall give to each purchaser a certificate for each lot or part of lot, showing the description thereof, and stating the price the purchaser paid. He shall keep a duplicate of all certificates issued by him as part of the records of his office. All lots and parts of lots, together with all improvements thereon conveyed as provided in this section, shall be exempt from execution and from taxation, except for water. The payment mentioned in this section shall not be construed to be in payment for any of the services described in section 212.

**Section 210. HEADBOARDS AND TOMBSTONES. FENCES AND GRADES.**

The owners of lots, or relatives of deceased persons buried in said cemetery are hereby required to erect in a manner satisfactory to the sexton, headboards, tombstones or other suitable monuments at the heads of graves, with the name of the deceased plainly inscribed thereon; if any person neglects or fails to erect such headboard, tombstone or other suitable monument for a period of three months from the date of burial, the sexton shall place a suitable headboard in proper position at the expense of the person owning or burying in said lot. No person shall erect or maintain any fence, corner post, coping, hedge, or boundary of any kind upon any lot or lots in said cemetery, nor grade the ground or land thereof without first obtaining a permit from the city sexton. The sexton, shall, whenever requested, furnish the true lines of said 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. Said sexton shall also, have general care of all lots in said cemetery and shall make general improvements thereon.

**Section 211. TITLE. PERMIT. DISINTERMENT. CONTAGIOUS DISEASE.**

It shall be unlawful for any person to bury the body of a deceased person in the cemetery without first paying for and obtaining from the sexton a certificate of purchase of the lot used, or if he does not own the said lot, without furnishing a written permit from the owner or nearest relative of the owner thereof, which permit shall be filed with the sexton. It shall be unlawful for any person to disinter any body in said cemetery or in any cemetery within the limits of Park City except under direction of the sexton; and before disinterment, the sexton shall require a permit from the board of health and a written order from the

owner of the lot authorizing such removal, which order shall be filed and preserved with the records of the sexton. All such removals shall be recorded by the sexton in a book kept for that purpose. It shall be unlawful for any person to remove the body of a person who has died of a contagious disease within two years from the date of burial, except such body has been buried in a hermetically sealed coffin, and is found to be so encased.

Section 212. FEES.

The sexton is hereby authorized to collect from those requiring his services the following fees, which shall be by him paid into the city treasury daily:

- For opening and closing adult graves \$10.00
- For opening and closing graves under four feet long \$6.00
- For removing a body already buried in the cemetery \$20.00

Section 213. BURIALS MUST BE IN CEMETERY. EXCEPTIONS.

It shall be unlawful for any person to bury the body of a deceased person within the limits of Park City, except in the burying grounds located therein, unless by permission of the city council; and there shall not be interred in any cemetery within the city limits the body of any person known to the law as a murderer except in a plot or portion of said cemetery which has been definitely designated and set apart for the burial of such persons.

Section 214. Name of Cemetery.

The burial ground of this city shall be known and designated by the name of "Park City Cemetery."

Section 215. SERVICES OTHER THAN AT CITY CEMETERY.

Services rendered by the sexton at any other place than at the City Cemetery shall be paid for according to amounts and fees set by the City Council

Section 216. INJURY TO CEMETERY PROPERTY PROHIBITED.

It shall be unlawful for any person to injure or deface any headstone, tombstone, monument, tree, shrub or other property in the city cemetery.

Section 217. FAST RIDING OR DRIVING IN CEMETERY PROHIBITED.

It shall be unlawful for any person to ride or drive in the limits of the city cemetery faster than Five miles per hour.

Section 218. PENALTY.

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be fined not more than \$50.00 or by imprisonment in the city or county jail for not more than thirty days, or by both such fine and imprisonment.

## CHAPTER XIII.

## CLOTHES CLEANING ESTABLISHMENTS, REGULATIONS OF. ETC.

## Section 219. DEFINITIONS.

- (a) The term "benzine" or "gasoline," wherever used herein, shall mean any product of petroleum, or any hydro-carbon liquid that will flash or emit an inflammable vapor below the temperature of one hundred and ten (110) degrees Fahrenheit.
- (b) "Chief of fire department" means chief of the fire department of Park City, Utah.
- (c) "Approved" shall mean approved by the chief of the fire department.
- (d) "Clothes cleaning establishment" shall mean any building or premises where more than one quart of benzine or gasoline is kept or stored to be used for cleaning or renovating for a consideration any clothing or articles of wearing apparel or fabric of any kind, including dye works and tailor shops.
- (e) "Tests," The fire chief shall test and decide the flashing point.

## Section 220. THE CHIEF OF FIRE DEPARTMENT TO GRANT PERMITS.

It shall be unlawful for any person hereafter to establish or maintain a clothes cleaning establishment where more than one (1) pint of benzine or gasoline is kept or stored, without first obtaining a permit therefore from the chief of the fire department, specifying the name of the permittee and the location of the premises to be used as such clothes cleaning establishment, and the amount of benzine or gasoline desired; provided, that all persons now conducting the business of clothes cleaning shall, after the passing of this ordinance, comply with all the requirements hereafter specified in this chapter governing the storage and use of gasoline or benzine. No permit shall be granted by the chief of the fire department where any portion of such building is used or occupied as a hotel, apartment house, or lodging house.

## Section 221. APPLICATION FOR PERMITS.

All applications for permits to store benzine or gasoline to be used in clothes cleaning establishments shall be made to the chief of the fire department, who shall determine the conditions under which any privilege granted shall be exercised, and shall furnish each applicant with a written or printed copy of all requirements imposed by this chapter for his information and guidance as to the manner in which benzine or gasoline or any other explosive or inflammable fluid or solvent shall be stored for the cleaning or renovating of clothes or any articles of wearing apparel or fabric of any kind.

When application is made to conduct and maintain a clothes cleaning establishment, the applicant shall, immediately after filing the application cause to be posted conspicuously on the premises a notice that such application has been made, said notice to be kept posted until such application is granted or denied.

## Section 222. DRY CLEANING ROOM.

The dry cleaning room of a clothes cleaning establishment shall be a fire proof building not more than one story high, with no basement beneath; such building must be of brick, laid in cement mortar, stone or concrete construction with cement floor.

- (a) The doors of such room must be of the most improved pattern of automatic fire doors; the windows shall be of wire glass with metal frames and sashes.
- (b) The walls of said room shall be provided with vent holes, at the floor line, not less than six (6) by eight (8) inches in area, and protected by iron bars. There shall be at least two such openings in each outside wall. The chief of the fire department may require, when deemed advisable for proper ventilation, that an exhaust blower be located in an air conduit whose inlet openings shall be at or near the floor line, and the discharge end of such conduit shall be carried four feet above the roof of the building. The exhaust blower and conduit shall be of a size sufficient to change the air of the building every three minutes, and such blower shall be in operation at all times during working hours.
- (c) The dry cleaning room shall be equipped with fire buckets filled with sand for use in extinguishing fires, the number of buckets and quantity of sand to be determined by the chief of the fire department.
- (d) Where steam is available, the dry cleaning room of a clothes cleaning establishment shall have installed an approved steam fire extinguishing system, the supply valve for which shall be placed on the outside of the room with one valve so arranged so that it can be turned on from the outside of the building.
- (e) There shall be no connection from the said clothes cleaning establishments to public or private sewers, drain, catch basin or pit, and all such establishments shall be heated by hot water or steam only.
- (f) The lighting must be done by electricity in the most improved manner, the wire to be run in conduits; all lamps must be approved vapor-proof lamps with keyless sockets; and all switches must be at least four and one-half ( $4\frac{1}{2}$ ) feet above the floors and located near the doorway.
- (g) It shall be unlawful to locate, have, use, or maintain steam generating boiler, dynamo or motor within the walls of any clothes cleaning establishment except in a room entirely separated from the cleaning and dyeing rooms.

## Section 223. STORAGE OF GASOLINE AND BENZINE.

Not more than one pint of gasoline or benzine shall be kept or stored for use above ground, in any clothes cleaning establishment except in closed machines. All quantities of benzine or gasoline in excess of one pint except that kept in closed machines shall be stored in underground tanks of the following specifications:

- (a) All storage tanks shall be constructed of not less than 12 gauge galvanized steel, carefully riveted and soldered and coated on the outside with asphaltum or other rust-proof material. There shall be no openings or pipe connections except on the top thereof, and no tank shall be connected either directly or indirectly with any drain, catch basin or sewer.

(b) Tanks must not exceed 300 gallons capacity each, and not more than 6 tanks for benzine or gasoline of 300 gallons capacity each shall be allowed in connection with any one clothes cleaning establishment.

Section 224. VENT PIPES.

All storage tanks shall be provided with a galvanized iron pipe. Such vent pipes must be carried up at least twelve (12) feet above the ground level and terminate in a double goose-neck spark protector, the openings of which must be covered by a brass or copper wire screen of at least 30 mesh. This vent pipe must be placed on a dead wall as remote from windows and doors as possible, and must be attached to the wall with pipe hooks and kept firmly in place.

Section 225. PUMPS.

All gasoline or benzine must be drawn from storage tanks by automatic closing valve pumps, and no gravity, siphon, air or water pressure system shall be permitted; such pumps shall be located above the tops of the tanks and may be placed inside the building. Pumps must be of any approved design, having valves to close all suction pipe lines.

Section 226. PIPES.

All pipes shall be galvanized and be put together with litharge and glycerine, and must lead out of the tops of storage tanks.

Section 227. HANDLING OF GASOLINE AND SOLVENTS.

The piping shall be so arranged that all gasoline shall be pumped from tanks to washers and return without being exposed to the air.

Section 228. REGULATIONS.

(a) No open lights of any kind shall be allowed in any room where benzine or gasoline is used.

(b) No stove, forge, torch, boiler or any furnace, flame or fire shall be allowed in any room where benzine or gasoline is used.

(c) All electric meters shall be placed at least four and one-half ( $4\frac{1}{2}$ ) feet above the floor.

Section 229. PERMITS MAY BE REVOKED.

If any proprietor or manager of any clothes cleaning establishment shall fail or refuse to comply with any of the provisions of this chapter, the chief of the fire department shall notify such proprietor or manager to appear before the city council of Park City, within five days after the service of said notice, and show cause why the permit which may have been granted to store benzine or gasoline shall not be revoked.

## CHAPTER XIV

## CLERK OF WATER DEPARTMENT

## SECTION 230 APPOINTMENT

The mayor may, by and with the advice and consent of the city council, appoint a clerk of the water department, whose duties shall, from time to time, be prescribed by the city council and who shall receive all money due the water department, and who shall keep a correct account of all receipts and disbursements in appropriate books for that purpose. All amounts so received shall be paid each day to the city treasurer.

## SECTION 231 OFFICE AT CITY HALL. MAY BE HELD BY OTHER CITY OFFICER..

The said clerk shall keep his office at the city hall, unless otherwise directed by the council; provided, that any other city officer may be appointed as clerk of the water department, and his salary shall be \$40.00 per month payable from the water department fund.

## CHAPTER XV

## CORPORATE SEAL

## SECTION 232

The seal heretofore provided and used for Park City is described as follows: two inches (2) in diameter, and bears the inscription, "Corporate Seal March 1st, 1884, Park City, Summit County, Utah," is hereby declared to be the corporate seal of Park City, Utah.

## CHAPTER XVI

## CITY ENGINEER

## SECTION 233 CREATION OF OFFICE

There is hereby created the office of city engineer which office may be held by any person holding a city office.

## SECTION 234 SALARY OF CITY ENGINEER. OATH. BOND.

The salary of the city engineer shall be determined by the City Council AND the city engineer shall furnish such bond as the city council shall determine and shall, before assuming the duties imposed upon the engineer subscribe to the constitutional oath taken by all other city officers.

## SECTION 235 DUTIES OF THE ENGINEER.

The engineer, under the direction of the city council, shall determine the lines, and grades of all streets and alleys, and sidewalks within the limits of the city, and file in the recorder's office a profile of all grades so determined and established; he shall make duplicate plats of all land surveyed and subdivided by him within the

city, noting all errors and discrepancies in original surveys or re-surveys, and file said duplicates in the recorder's office and perform such duties as are, or may hereafter be imposed upon him by ordinance, order or resolution of the city council. He shall make such reports to the city council as may from time to time be required. The engineer shall, upon the tender of his legal fees, determine the corners or boundary lines of any block, lot or part thereof within the city when so required by any person.

## CHAPTER XVII

### CITY POUND.

#### SECTION 236. CITY POUNDKEEPER. APPOINTMENT. SALARY. Oath. Bond.

There is hereby created the office of city poundkeeper, which shall be filled as provided by law and may be held by any other officer of the city, AND he shall receive such compensation for his service as shall be determined from time to time by the city council, provided however he shall not assume his duties until he shall have filed such bond as the council may deem proper and until he has subscribed the constitutional oath taken by other city officers.

#### SECTION 237. IMPOUNDING AND DISPOSAL OF ESTRAYS, GENERALLY.

It is hereby made the duty of the city poundkeeper to take into his possession and impound all estrays running at large, and to dispose of the same as hereinafter provided.

#### SECTION 238. NOTICE OF SALE OF ESTRAYS.

Within three days after any estrays shall come into the possession of the poundkeeper, he shall advertise the same in a newspaper published in the county, having general circulation in the county, by publishing a notice in at least one issue of said paper, and by posting notices for a period of ten days in three of the most public places in the city, one of which places shall be at or near the postoffice. He shall immediately deliver a copy of such notice to the county clerk, or mail the same to him by registered letter. The notice so filed with the clerk shall be available during reasonable hours for inspection by the public, free of charge. The notice herein provided for shall contain a description of the animal or animals, including all marks and brands, when taken, and the day, hour, and place of sale, and may be substantially in the following form:

#### NOTICE

State of Utah,  
County of Summit,  
In Park City, Utah

I have in my possession the following described stray animal(s) which, if not claimed and taken away, will be sold at public auction to the highest bidder at the city pound in Park City, on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_, at the hour of \_\_\_\_\_ (Description of Animal)

in by me in said city of Park City, on the \_\_\_\_\_

\_\_\_\_\_  
City Poundkeeper.

IMANTS. SALE. BILLOF SALE.

ime before the sale of any estrays, such animals proved to be the property of any person, the pound- them to the owner upon receiving from him the cost eping and advertising the same. If the animals are ken away, he shall, at the time and place mentioned in the notice, proceed to sell the same, one at a time, to the highest cash bidder, and shall execute and deliver a bill of sale transferring said animals to the purchaser or purchasers thereof, which bill of sale shall be substantially in the following form:

BILL OF SALE.

I hereby certify that in pursuance of the law regulating the disposal of estrays and trespassing animals, I have this day sold to \_\_\_\_\_ for the sum of \$ \_\_\_\_\_, he being the highest bidder, \_\_\_\_\_ head of \_\_\_\_\_ branded with the city estray brand and otherwise described as follows, to-wit:

(Description of Animals)

Witness my hand this \_\_\_\_\_ day of \_\_\_\_\_ 19 \_\_\_\_\_.

City Poundkeeper, City of Park  
City, State of Utah.

Section 240. RECORD OF ESTRAYS.

The poundkeeper shall keep an accurate record of all estrays received by him, their age, color, sex, marks, and brands, the time and place of taking and the expenses of keeping and selling the same, all animals claimed and taken away, all animals sold and to whom sold and the amount paid, all moneys paid to owners after sale, all moneys paid into the city treasury, and all other matters necessary to a compliance with the provisions of this ordinance. The city council of the city shall provide the city poundkeeper with a suitable book, in which shall be entered the records required by law to be kept by the poundkeeper. Such records shall be open to the inspection of the public at all reasonable hours, and shall be deposited by the poundkeeper with his successor in office.

Section 241. TRESSPASSING ANIMALS. DAMAGES, IMPOUNDING.

If any neat cattle, horses, asses, mules, sheep, goats or swine shall trespass or do damage upon the premises of any person, the party aggrieved, whether he be the owner or the occupant of such premises, may recover damages by an action at law against the owner of the trespassing animals, or by distraining and impounding said animals in the manner provided herein.

Section 242. APPRAISEMENT OF DAMAGES.

The owner or occupant of any property may distrain all of said animals trespassing or doing damages thereon. He shall, within twenty-four hours thereafter, deliver said animals to the city poundkeeper together with a certificate of the appraisement of the damage done by such animals. Such appraisement must be made by some disinterested male citizen, a freeholder, over 21 years of age. It must state the amount of the damage, the time when committed, the name of the person damaged, the name of the owner of the animals, if known and if unknown, it must state that fact, together with the description of the animals, including all visible marks and brands. If the animals appear to be owned by different parties, a separate appraisement and a separate certificate thereof shall be made of the damage done by the lot or group of animals which appear to belong to each of the different owners. In such cases the owners shall be notified separately, and each lot or group of animals shall be advertised and sold separately in the same manner as though the damages had been done by different animals at different times.

Section 243. OWNER TO BE NOTIFIED.

The person distraining the animals must, if the owner of the same be known to him and if he resides within ten miles of the place of the trespass, immediately deliver to such owner, or leave at his place of residence, if he cannot be found, a copy of such certificate of appraisement; but if the owner does not live within ten miles of the place of trespass, the party distraining the animals, may at his option, deliver a copy of such certificate to the owner in person, or deposit the same in the nearest postoffice in a registered letter addressed to said owner. He shall be entitled to charge ten cents a mile one way for the first ten miles necessarily traveled in delivering such certificate, and five cents for each additional mile, to be taxed as costs against the animals.

Section 244. DAMAGES CANNOT BE RECOVERED. WHEN.

If the party distraining any animals shall fail to deliver them or the certificate of appraisement to the city poundkeeper within forty-eight hours, or shall fail to deliver to the owners of the animals, if known, a copy of the certificate of appraisement within twenty-four hours after he received the same, or to deposit the same in the postoffice, as herein provided, he shall not be entitled to recover damages under the provisions of this ordinance.

Section 245. WHERE OWNER UNKNOWN. DUTY OF POUNDKEEPER.

Whenever any animals are delivered to the poundkeeper, and the certificate of appraisement is filed with him as herein provided and such certificate states that the owner is unknown, the poundkeeper shall immediately examine all brand books or brand sheets in his possession, and if the owner be ascertained thereby, or if the owner be already known to the poundkeeper, he shall, if the owner live within ten miles, immediately deliver a copy of such certificate of appraisement to such owner, or leave the same at his residence if he cannot be found; if the owner lives more than ten miles away, the poundkeeper may, at his option, deliver such

copy personally to the owner, or deposit the same in the nearest post-office in a registered letter addressed to such owner. He shall, however, deposit the copy in one of the ways provided herein; provided that whenever personal service of a copy of any paper is required by this chapter, service by agent shall be deemed sufficient.

SECTION 246. NOTICE OF SALE OF TRESPASSING ANIMALS.

As soon as any such animals are delivered to the poundkeeper he shall immediately proceed to advertise the same as hereinafter provided, except when the owner is known and has been notified, in which case he shall hold said animals forty-eight hours before advertising the same. He shall advertise in a newspaper published in the county, having general circulation in the county, by publishing a notice in at least one issue of said paper, and by posting notices in three of the most public places in the city, one of which shall be at or near the postoffice, and shall deliver a copy of the same to the county clerk, or send the same by deputy or by registered mail. The clerk shall preserve such notice and post a copy thereof. The notice herein provided shall state the time when the damage was done and the amount thereof, the name of the party damaged, a description of the animals, including all visible marks and brands, and the day, hour, and place at which such animals will be sold, which shall not be less than ten nor more than twenty days from the time of posting such notice; said notice may be substantially in the following form:

SALE OF ANIMALS FOR DAMAGES.

State of Utah,  
County of Summit,  
In the City of Park City, Utah

I have in my possession the following described animals, which if not claimed and taken away, will be sold at public auction to the highest cash bidder at the city pound in Park City, Utah, on the \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_, at the hours of \_\_\_\_\_.

(Description of Animals)

Said animals are held by me to secure the payment of \$\_\_\_\_\_ damages done by said animals upon the premises of \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_.

City Poundkeeper of Park City, Utah

SECTION 247. OWNER MAY PAY AND TAKE ANIMALS. DISPUTED APPRAISAL.

The owner of any trespassing animals taken up under the provisions of this chapter may, at any time before the sale thereof, claim and take the animals away upon paying the amount of damages set forth in the certificate of appraisement and the accrued costs, and if such animals are included in a lot or group of animals belonging to other parties, against which the damages and costs are assessed as a whole, he shall pay his proportion of the total amount of damages and costs assessed against such animals, according to the number of animals he owns when compared with the number of the entire lot or group. If he deems the appraisal too high, he may choose another appraiser having the qualifications herein provided, who with the first shall make a new appraisal.

and if they cannot agree they shall choose a third and the three shall proceed to make another appraisal, and the decision of the majority shall be final.

Section 248. SALE. BILL OF SALE.

If such animals are not claimed and taken away by the owner, the poundkeeper shall, at the time and place set forth in the notice of sale, proceed to sell such animals, one at a time, to the highest cash bidder. If the owner of any lot of animals is known, the poundkeeper shall sell only enough of said animals to pay the damages and costs, and the remainder may be turned over to the owner at any time thereafter; but if the owner be not known, the poundkeeper shall proceed to sell all of the animals so advertised for sale. He shall execute and deliver a bill of sale therefor, and file a copy with the county clerk as hereinbefore provided. Said copies shall be preserved for a period of two years and shall be open for inspection at all reasonable hours, free of charge.

Section 249. REDEMPTION WITHIN NINETY DAYS.

The owner of any trespassing animals sold under the provisions of this chapter, may at any time within ninety days of the date of such sale, redeem such animals from the purchaser or assignee having the same in his possession, upon paying to such purchaser or assignee the sum for which such animals were originally sold, together with 10 per cent additional, and a reasonable compensation for the care and keeping of the same. If such purchaser or assignee refuse to give up such animals on the owner proving his title to the same and on his tendering the amount due as herein provided, such owner may maintain an action at law to recover the same; provided, that the purchaser or any assignee who has disposed of such animals shall not be liable to such owner in any amount. If no redemption of such animals be made within ninety days after the date of such sale, then such sale shall be absolute and shall vest title to such animals in the purchaser or his assignee. Any person selling or disposing of any such animal within 90 days of its sale under the provisions of this chapter, shall notify the purchaser of the same of the date of the original sale and the amount paid for such animal at that time, and if he fails to do so he shall be liable for any loss that may accrue to such purchaser by reason of such animal being redeemed for a less amount than he paid for it.

Section 250. OWNER ENTITLED TO RESIDUE OF PROCEEDS.

If any estrays or trespassing animals sold under the protection of this chapter shall, within a period of 6 months immediately ensuing after the date of the sale thereof, be claimed and proved to be the property of any person, it shall be the duty of the city treasurer at the expiration of such time to pay the money received for such animals to the owner thereof, less the amount of damages and the expense of taking, keeping, and selling the same; but in the event such animals are not claimed as aforesaid, then such money shall become the property of the city; provided that in case there is a contest between two or more persons claiming to be the owners of such animals, the city treasurer shall pay the residue to the party who shall establish by action his right to the same.

Section 251. RECORD OF TRESPASSING ANIMALS.

The poundkeeper shall keep an accurate record of all trespassing animals received by him, which shall contain all the items required by this chapter in the case of estrays, together with the names of the injured party and the owner of the animals, the amounts of the damages claimed, and all other matters necessary to a complete account of the transaction. Such records shall be open to inspection at all reasonable hours.

Section 252. UNLAWFUL SALES.

The owner of any animals unlawfully impounded or sold may maintain an action to recover the same and damages for the detention thereof.

Section 253. RETAKING ANIMALS UNLAWFULLY.

Any person who shall take any animal out of the possession of any one lawfully holding the same under the provisions of this chapter, either by stealth, force, or fraud, or who shall intercept or hinder any person lawfully taking up or attempting to take up such animals, is guilty of a violation of this chapter

Section 254. POUND.

The city shall furnish suitable premises to be used as the city pound, and it shall be the duty of the city poundkeeper to take charge of the premises, which shall be designated as the city pound, and keep said premises in a clean and orderly condition. It shall be his duty to receive and care for all animals committed to his charge, to examine records, marks and brands and to exercise diligence in locating the owners of such animals and to notify them if found.

Section 255. BOOKS.

The Poundkeeper shall keep a full, complete and accurate set of books, which shall set forth in detail all business done in connection with the city pond.

Section 256. BILLS OF DAMAGE.

The poundkeeper shall receive and file all bills of damage duly presented, and enter the amounts in his books, which shall be open to the inspection of the public. He shall not deliver any animal to the owner until all costs and damages are paid.

Section 257. PROCEEDS OF SALE.

The net proceeds of the sale of all animals, as herein provided, shall be paid to the city treasurer, subject to the order of the owners of said animals, if applied for within six months from the date of sale. If not applied for within that time, the city treasurer shall cover the amount into the general fund.

Section 258. ADVERTISING BILLS.

All bills for advertising shall be certified by the pound-keeper, and if correct, shall be ordered paid by the city council.

Section 259. ANIMALS AT LARGE.

No cattle, horses, mules, sheep, goats or swine shall be allowed to run at large, or be herded, picketed, or staked out upon any street, sidewalk or any other place of a public nature within the limits of the city, and all such animals so found may be taken up and driven to the estray pound; provided, that nothing herein contained shall be so construed as to prevent any person from driving milch cows, work cattle, horses, mules or other animals from outside the city limits to any inclosure within the city limits, or from any inclosure in the city to a place outside of the city, or from one inclosure to another within the limits of the city.

Section 260. DETENTION OF ANIMALS.

It shall be unlawful for any person, other than the city poundkeeper, to take up an animal, under the provisions of this chapter, and retain it more than twenty-four hours.

Section 261. MALICIOUS IMPOUNDING.

It shall be unlawful for any person maliciously or mischievously to secrete or impound the animal of another, or maliciously or mischievously to aid or abet therein.

Section 262. FEES.

The poundkeeper, for impounding and posting up notices, shall collect and retain fees for his services as follows: One Dollar per head for horses, mules or cattle, and twenty-five cents per head for calves, goats, sheep and swine. For feeding animals, fifty cents per day for horses, mules, and cattle, and twenty-five cents per day for calves, goats, sheep, and swine. Fees for advertising and sale shall be one dollar for each horse, mule or head of cattle, and fifty cents each for goats, sheep, calves and swine.

Section 263. MONTHLY STATEMENT.

It shall be the duty of the city poundkeeper to make monthly, a sworn statement of the business transacted by him in connection with the city pound, showing in detail all animals received, sold, advertised, or handled by him, together with a detailed statement under oath of all money expended and received by him.

Section 264. PAY OVER MONEY.

It shall be the duty of the city poundkeeper to turn into the city treasury on or before the first day of each month all net proceeds in money received by him in virtue of said office, during the preceding month.

## CHAPTER XVIII.

## CITY RECORDER.

## Section 265. OFFICE, WHERE. KEEP RECORDS. CERTIFY COPIES.

The city recorder shall attend all meetings of the city council; he shall keep his office at the place of meeting of the city council, or some other place convenient thereto, as the council may direct. He shall keep the corporate seal and all records and papers of the city, and keep a record of all proceedings of the city council, of all papers filed in his office, and transcripts from all records of the city council certified by him, under the corporate seal, shall be evidence in all courts, as if the original were produced.

## Section 266. COUNTERSIGN CONTRACTS.

He shall countersign all contracts made in behalf of the city, and every contract made in behalf of the city or to which the city is a party shall be void unless signed by the recorder.

## Section 267. DUTIES IN RELATION TO FINANCE. CITY AUDITOR.

The city recorder shall draw and countersign all orders upon the treasurer in pursuance of any order or resolution of the city council, and keep a full and accurate account thereof in books provided for that purpose; shall make to the city council from time to time, upon the order of the city council, reports of the financial condition of the city; shall make and keep a list of outstanding bonds, to whom issued, for what purpose, when, and where payable, and the rate of interest they respectively bear, and recommend such action of the city council as shall secure the payment of the principal and interest of such bonds; shall report annually, on or before the first day of June, to the city council, an estimate of the expenses of the city and the revenue necessary to be raised for the current year; shall keep regular books of account in which he shall enter all the indebtedness of the city, and which shall at all times show the financial condition of the city, the amount of bonds, order, certificates, or other evidences of indebtedness which have been redeemed, and the amount of each outstanding; shall keep accounts with all receiving and disbursing officers of the city, showing the amount they have received from different sources of revenue and the amount which they have disbursed under the direction of the city council; shall examine all reports, books, papers, vouchers, and accounts of the city treasurer; shall audit all claims and demands against the city before they are allowed by the city council; and shall keep a record of all claims presented and the action of the city council thereon; shall keep a book properly indexed in which he shall enter all contracts, which book shall be open to the inspection of all persons interested; and shall perform such other duties as the city council shall by ordinance provide.

## Section 268. ANNUAL FINANCIAL STATEMENT.

The city recorder shall prepare and publish, on or before the first Monday in February of each year, in some newspaper having general circulation in the city, a detailed statement of the financial conditions of the city, and all receipts and expenditures for the

previous year ending December 31st, provided, that, upon the expiration of his term of office, and before his successor enters upon his duties, said recorder shall make and prepare said statement properly attested, for the use and benefit of his successor in office, showing:

- 1- The total receipts of the city stating particularly the source of each portion of the revenue.
- 2- The amount of cash on hand at the date of the last report.
- 3- The amount of sinking fund and how invested.
- 4- The number, date and amount of every bond issued or redeemed and the amount received or paid therefor.
- 5- The indebtedness of the city, funded and floating, stating the amount of each class and the rate of interest borne by such indebtedness or any part thereof.
- 6- The amount of cash in the city treasury and the several funds.
- 7- The total expenditures of the city, as shown by the warrants issued, giving the total amount expended in each department.

The said statement shall be audited by a committee of the city council before being published.

#### Section 269. RECORDING AND PUBLISHING.

It shall be the duty of the city recorder to record in order of date all ordinances and resolutions passed by the city council in a book kept for that purpose. He shall keep in a book provided for that purpose the names of all persons elected or appointed to any office within the city, the date of their term of office, and the dates of the death, resignation or removal of any such officer, and the name of the person appointed to fill the vacancy so created. He shall cause all ordinances passed by the city council, within one month after they have passed, to be published by some newspaper printed in the city, or posted as required by law, except a revision of ordinances,

#### Section 270. REPORTS.

The city recorder shall make a report to the city council at the first regular meeting of the city council and thereafter monthly at the second regular meeting of the city council, setting forth a statement of the amount of the city revenue, specifying in said statement from whence derived, and for what purpose disbursed with amount on hand.

#### Section 271. PAY OVER MONEY. RECORDS.

The city recorder shall pay into the city treasury all moneys belonging to the city coming into his hands by virtue of his office. He shall deliver to his successor in office the corporate seal together with all books, and papers, records and other property in his possession belonging to the city.

CHAPTER XIX.

CITY TREASURER.

Section 272. DUTIES GENERALLY.

The city treasurer shall receive all money belonging to the city, including all taxes, licenses and fines, and keep an accurate and detailed account thereof, in such manner as provided in this chapter, or as the city council may from time to time by ordinance direct; and he shall collect special taxes and assessments as provided by law and ordinance. He shall make a settlement with the recorder as the council may direct at the end of every month, and turn over all warrants, interest coupons, bonds or other evidence of indebtedness of the city, which may have been redeemed by him during the month, taking the receipts of the recorder therefor and all such warrants, order, or other evidence of indebtedness shall be cancelled by him and have written or stamped thereon the date of their payment or redemption.

Section 273. PAYMENTS.

He shall pay no money out save upon lawful warrants, except bonds and interest coupons, which, when due, may be paid upon presentation, or in case the same are payable in some other place then the money for their redemption shall be sent to the place where they are payable in time to meet such payments when due.

Section 274. WARRANTS PAID IN ORDER.

All warrants shall be paid in the order in which they shall be presented, and the treasurer shall note upon the back of each warrant presented to him, the date of such presentation, and when payment is made, the date of such payment; provided, that any warrant shall be paid by the treasurer in case a sufficient amount of money shall remain in the treasury to pay all warrants issued previous to such warrant.

Section 275. RECEIPTS.

The treasurer shall give every person paying money into the city treasury a receipt therefor, specifying the amount, date of payment, and upon what account paid, and he shall also file a duplicate of such receipt with the recorder at the date of his monthly report.

Section 276. REPORTS, REGISTRY OF WARRANTS.

The treasurer shall report to the city council monthly at the regular meeting, giving a full and detailed account of all receipts and expenditures since his last report, and the state of the treasury. He shall also make an annual report on or before the 31st day of December of each year. He shall also keep a registry of all warrants redeemed and paid during the year, describing such warrants their date, amount, number, the fund from which paid, and the person to who paid, specifying also the time of payment. And all such warrants shall be examined by the city council at the time of making said report.

## SECTION 277. PUBLIC MONEY TO BE KEPT SEPARATE.

The treasurer shall keep all money belonging to the city separate and distinct from his own money, or other money under his control.

Whenever it shall appear to the mayor that the treasurer is making profit out of public money, or is using the same for any purpose not authorized by law, he shall suspend him from office, and upon conviction for such offense, his office shall become vacant.

## SECTION 278. SPECIAL FUNDS.

All money on any special assessment shall be held by the treasurer as a special fund, to be applied to the payment of the improvements for which the assessment was made, and said money shall be used for no other purpose whatever.

## SECTION 279. SHALL DELIVER PROPERTY TO HIS SUCCESSOR.

The city treasurer shall perform such other duties as may now or hereafter be required by law or ordinance, and his books of account shall be the property of the city, and shall, together with all money, papers, and other property in his possession belonging to the city be delivered to his successor in office immediately after such successor shall have been duly elected or appointed and qualified.

## CHAPTER XX

## CLAIMS FOR DAMAGES.

## SECTION 280. CLAIM. TIME FOR PRESENTING. ACTION ON.

Every claim against Park City for damages or injury alleged to have been caused by the defective, unsafe, dangerous, or obstructed condition of any street, alley, crosswalk, sidewalk, culvert, or bridge, shall within thirty days after the happening of such injury or damage, be presented to the city council in writing, signed by the claimant or by some person by claimant authorized to sign the same and properly verified, stating the particular time at which the injury happened, and designating and describing the particular place in which it occurred, and also particularly describing the cause and circumstances of said injury or damage, and stating, if known to claimant, the name of the person who created, brought about, or maintained the defect, obstruction, or condition causing such accident or injury, and also stating the nature and probable extent of such injury, and the amount of damages claimed on account of the same; such notice shall be sufficient in the particular as above specified to enable the officers of the city to find the place and cause of such injury from the description thereof given in the notice itself without extraneous inquiry, and no action shall be maintained against the city for damages, or injury to person or property unless it appears that the claim for which the action was brought was presented as aforesaid to the city council, and that such council did not within ninety days thereafter audit and allow the same. Every claim other than claims above mentioned, against the city must be presented, properly itemized, described and verified as to correctness.

by claimant or his agent, to the city council within one year after the last item of such account or claim accrued, and if such account or claim is not properly or sufficiently itemized, or described or verified, the city council may require the same to be made more specific as to the itemization or description, or to be corrected as to the verification thereof.

Section 280.-A. CLAIM BARRIED IF NOT PRESENTED.

It shall be a sufficient bar and answer to any action or proceeding against the city in any court, for the collection of any claim mentioned in the preceding section that such claim had not been presented to the city council of the city in the manner and within the time specified in the preceding section; provided, that in case an account or claim, other than a claim made for damages on account of the unsafe, defective, dangerous, or obstructed condition of any street, alley, crosswalk, way, sidewalk, culvert, or bridge, is required by the city council to be made more specific as to itemization or description, or to be properly verified sufficient time shall be allowed the claimant to comply with such requirement.

CHAPTER XL.

EXPLOSIVES AND COMBUSTIBLES.

Section 281. ERECTION OF MAGAZINES.

It shall be unlawful for any person to erect or maintain any magazine for the storage of explosives within the corporate limits of Park City, Utah.

Section 282. PERMIT TO SELL EXPLOSIVES.

It shall be unlawful for any person to keep, sell, give away or otherwise dispose of any gunpowder, giant or other explosive powder, nitro glycerine, dynamite or other explosive in any quantity within the limits of Park City, without first making written application for, and receiving a permit from the city council so to do; provided, that any person may keep, in a canister or flask, for his own use, not to exceed six and one-quarter pounds of gunpowder. The application shall be signed by the applicant, and designate the place where such applicant desires to sell explosives. All permits to sell explosives shall be certified by the recorder, and shall show to whom granted, and the place where explosives are permitted to be sold. The recorder shall keep a record of all such permits issued. The city council may, at any time, revoke any permit issued under the provisions of this section.

Section 283. GUNPOWDER IN STORES.

IT SHALL BE unlawful for any person within the city limits, to keep about his place of business to exceed one hundred pounds of gunpowder, and the amount so kept shall be stored in canisters and placed in a vault of construction approved by the chief of the fire department, and located at an accessible point not nearer than 20 feet to any other building, and it shall be unlawful to sell or weigh gunpowder by gas, lamp, or candle light or any open flame.

Section 284. HIGH EXPLOSIVES NOT TO BE KEPT IN STORES, OR PERMITTED TO STAND IN RAILWAY CARS.

It shall be unlawful for any person to store or keep giant powder, nitroglycerine, or dynamite at any place within the limits of Park City; and it shall be unlawful for any railroad company to permit any car containing gunpowder, giant powder, nitro-glycerine, dynamite or other explosive to stand or remain on any track or switch of said company, within this city for a longer period than ten minutes; provided, that a sample of giant or other powder, nitro-glycerine and dynamite, not to exceed one pound of each, may be kept at the place of business of any person holding a permit as provided in this chapter.

Section 285. Watchman required. Unloading.

It shall be unlawful for any railroad company or other person to leave cars loaded with any type or kind of explosive unless a watchman is provided by the company or person having the explosive to watch and take care of the said explosive.

Section 286. Unloading STATIONS.

It shall be unlawful for any person, persons, company, or corporation to unload any type of explosive from railroad cars except at designated unloading places. The city council shall designate unloading places for explosives.

Section 287 GIANT POWDER CAPS. MANNER OF KEEPING.

It shall be unlawful for any person to store or keep within the limits of Park City giant powder caps, or caps used to explode giant, or other powder; provided that a sample of such caps not exceeding one hundred, may be kept at the place of business of any person holding a permit as provided by this chapter.

Section 288. FLASH TEST DEFINED.

For the purpose of this ordinance, "Standard Flash Test" means "Will not flash or emit an inflammable vapor at a temperature lower than one hundred and thirty (130) degrees Fahrenheit."

Section 289. PERMIT FOR STORAGE OF OILS, ETC., TO BE OBTAINED.

It shall be unlawful to store or use petroleum, gasoline, benzine, naphtha, distillate, or any product of petroleum or hydro-carbon liquids in quantities greater than five (5) gallons, without first obtaining a permit from the chief of the fire department, specifying the name of permittee, the location of the premises to be used for such storage or use, and the amount thereof desired to be used or stored; provided, however, that this section shall not apply to ordinary kerosene or coal oil stoves using oil of standard flash test.

The chief of the fire department shall furnish each applicant with a copy of this ordinance.

Section 290. FLASH TEST BELOW 110 DEGREES. QUANTITY 5 to 300 Gallons.  
Construction of Storage Tanks.

It shall be unlawful to keep or store, or permit to be kept or stored, petroleum, gasoline, benzine, naphtha, distillate, products of petroleum, or hydro-carbon liquids not of standard flash test in quantities of not more than three hundred (300) gallons, in a tank constructed of not less than No. 12 gauge galvanized steel, riveted, steel to steel joints, soldered and coated with tar or other rust-resisting materials, or in an iron tank not less than three-sixteenths ( $\frac{3}{16}$ ) of an inch thick, riveted and calked, coated with tar or other rustproof material. Such tank shall be filled only through a section of hose suitable for the purpose directly connected to the tank delivery wagon, which hose shall be detached from feed pipes when not in service. Oil shall be taken from such tank only by a pump with automatic cutoff; siphon, gravity; air or water pressure shall not be permitted.

Section 291. STORAGE REQUIREMENTS---GASOLINE, ETC.,

(a) Quantity under 500 gallons. Kerosene, coal oil, petroleum, distillate, products of petroleum, or hydro-carbon liquids of standard flash test, in quantities not exceeding five hundred (500) gallons, may be kept or stored in metallic cans or metallic tanks of not exceeding (60) sixty gallons capacity, or in an underground tank as specified.

(b) Quantity over 500 gallons. It shall be unlawful to keep or store, or permit to be kept or stored in any building, or upon any premises, street or place, in quantities in excess of five hundred (500) gallons, any petroleum, distillate, products of petroleum or hydro-carbon liquids of standard flash test; except in tanks, or in barrels or metallic cans in a one-story brick, stone, or concrete building, with concrete or hollow tile roof, with no interior woodwork whatever, with all exterior openings protected with fire glass not less than one-quarter ( $\frac{1}{4}$ ) inch thick in metal frames and sash, or with wood tin-clad doors or shutters. All doors openings to have masonry sills rising not less than one foot above the floor. Such buildings to be occupied exclusively for storage of oils and liquids.

Section 292. STORAGE TANKS ABOVE GROUND OUTSIDE OF ANY BUILDING.

(Quantity over 300 gallons-any flash test.) Before any tank or tanks for the storage of gasoline, benzine, naphtha, distillate, petroleum, or any products of petroleum, or hydro-carbon liquids in greater quantities than three hundred (300) gallons, shall be built or erected above ground, there shall be submitted to the chief of the fire department with the application required plans of the proposed tank or tanks, showing their size, capacity, construction, proposed contents, location, distance from water or railroad tracks, and the location of all adjacent buildings, together with plans and specifications for a brick, concrete, or reinforced concrete wall, earth embankments or dikes to surround said tank or tanks.

All such storage tanks shall be located a sufficient distance from railroad tracks, bulkheads, or water fronts of streams, lakes or ponds to allow the construction of a brick or concrete wall not less than four (4) feet high; and plain concrete walls must be at least thirteen

(13) inches thick at the top and reinforced with buttresses at every ten (10) feet.

Plans and specifications for all walls must be approved by the chief of the fire department.

The reservoir formed by such concrete or brick walls must have a capacity of at least thirty (30) per cent greater than that of the tank, and there shall be no opening of any kind in said walls.

#### SECTION 293. OILS AND LIQUIDS IN TRANSIT.

None of the oils or liquids mentioned in this chapter shall be allowed while in transit to remain in any building in greater quantities than five (5) gallons, at night between the hours of sunset and sunrise, but shall be placed outside of and away from buildings at places determined upon by the chief of the fire department.

#### SECTION 294. OIL WAGONS, KEEPING OF.

It shall be unlawful for any person to store, keep or permit to be stored or kept, during the day or night, within two hundred (200) feet of any house stable, or other building or structure within the city, any wagon or other vehicle used for the purpose of selling at wholesale or retail, or delivering, petroleum, gasoline or other inflammable oil; provided, that this section shall not apply if such wagon or vehicle shall be empty or be kept or stored in a building in all respects fire-proof, according to a certificate to that effect to be given by the chief of the fire department, and filed with the city recorder of this city.

#### SECTION 295. OIL BURNING EQUIPMENT, AND DOMESTIC OIL BURNING

##### EQUIPMENT.

(a) OIL BURNING EQUIPMENTS. Oil burning equipments are those using only liquids having flash point above 150 degrees F., closed cup tester. Oil burning equipments shall be operated only when a competent attendant is constantly on the premises. An oil burning system shall consist of all equipment connected to the burner and located within the building, including auxiliary supply tanks and provisions for filling same, piping, burner, and all accessories. Only systems approved by the chief of the fire department shall be used.

(b) STORAGE TANKS FOR OIL BURNING EQUIPMENTS. Storage tanks shall be placed underground, provided that above ground tanks of not to exceed 1000 gallon capacity may be used when approved by the chief of the fire department.

1. UNDERGROUND TANKS. Underground tanks shall be constructed of galvanized steel, basic open hearth steel or wrought iron of a minimum gauge (U.S. Standard) depending upon the capacity, as given in the following table:

Capacity (Gallons)	Minimum Thickness of Material
1 to 560	14 gauge
561 to 1,100	12 gauge
1,101 to 4,000	7 gauge
4,001 to 10,500	$\frac{1}{2}$ inch
10,501 to 20,000	$\frac{5}{16}$ inch
20,001 to 30,000	$\frac{3}{8}$ inch

All joints shall be riveted, and caulked, brazed, welded, or made by some equally satisfactory process. Tanks shall be tight and sufficiently strong to bear without injury the most severe strains to which they may be subjected in practice. Shells of tanks shall be properly reinforced where connections are made and all connections made through the top of tank above the liquid level.

All tanks shall be thoroughly coated on the outside with tar, asphaltum or other suitable rust-resisting material, dependent upon the condition of soil in which they are placed. Where soil is impregnated with corrosive materials, tanks shall also be made of heavier metal. An independent, permanently open galvanized vent pipe terminating outside of building shall be provided for every tank. The lower end of the vent pipe shall not extend through the top into the tank for a distance of more than one inch. Vent openings shall be screened (40x40 non-corrodible wire mesh, or its equivalent, preferable cone-shaped) and shall be of sufficient area to permit proper inflow of liquid during the filling operation and in no case less than  $\frac{1}{2}$  inch in diameter. Screens shall be accessible for examination and removal. Vent pipes shall be provided with weather-proof hoods, and terminate twelve feet above top to fill-pipe, or, if tight connection is made in filling line, to a point one foot above the level of the top of the highest reservoir from which the tanks may be filled, and preferably not less than three feet, measured horizontally and vertically from any window or other building opening. End of filling pipe in tank shall be turned up so as to form a trap or seal, and when installed in the vicinity of any door or other building opening shall be as remote therefrom as possible so as to prevent liability of flow of oil through building openings; terminal shall be outside of building in a tight, ~~in~~ combustible box or casting, so designed as to make access difficult by unauthorized persons. Manhole covers shall be securely fastened in order to make access difficult by unauthorized persons. No manhole shall be used for filling purposes. Tanks shall be buried underground with top of tanks not less than three feet below the surface of the ground, and below the level of any piping to which the tanks may be connected, except that in lieu of the three foot cover, tanks may be buried under 18 inches of earth and a cover of reinforced concrete at least 6 inches in thickness provided, which shall extend at least one foot beyond the outline of tank in all directions; concrete slab to be set on a firm well-tamped earth ~~foundation~~. Tanks shall be securely anchored or weighted in place to prevent floating. Where a tank cannot be entirely buried, it shall be covered with earth to a depth of at least 3 feet and sloped on all sides, slopes not to be less than 3 to 1. Such cases shall be subject to such other requirements as may be deemed necessary by the chief of the fire department. If tank cannot be let below the level of all

pipng to which it is connected, satisfactory arrangements shall be provided to prevent siphoning or gravity flow in case of accident to the piping. Tanks shall be set on a firm foundation and surrounded with soft earth or sand well tamped in place. When located underneath a building, the tanks shall be buried with tops of tanks not less than 2 feet below the level of the floor. The floor immediately above the tanks shall be of reinforced concrete at least 9 inches in thickness, or some other type of construction of equivalent strength and fire resistance, extending at least one foot beyond the outline of the tanks in all directions, and provided with ample means of support independent of any tank.

2. ABOVE GROUND TANKS. Above ground tanks including top shall be constructed of basic open hearth steel or wrought iron of a minimum gauge (U.S. Standard) as specified in the following table:

Capacity (Gallons)	Minimum Thickness of Material
1 to 30	18 gauge
31 to 350	16 gauge
351 to 1000	14 gauge

Joints and connections shall be as specified for underground tanks, also rust proofing and venting of tanks.

Tanks with bottom more than one foot above the ground shall have firm foundation and supports of incombustible materials, except wooden cushions. The storage of combustible material within 10 feet of any tank is prohibited. Tanks shall be constructed of metal, including top, side and bottom; all openings shall be gas-tight, except breather vent, which shall be screened. All tanks shall be electrically grounded by resting directly on moist earth or grounded in accordance with the requirements for lightning protection of the National Fire Protection Association. In all locations where above-ground tanks are liable, in case of breakage or overflow, to endanger surrounding property each tank shall be protected by an embankment or dike. Such protection shall have a capacity of not less than one and one-half times the capacity of the tank surrounded, and shall be at least four feet high, but in no case higher than one-fourth the height of tank when height of tank exceeds 16 feet. Embankment or dikes shall be made of earthwork or reinforced concrete. Earthwork embankments shall be firmly and compactly built of good earth from which stone, vegetable matter, etc., have been removed, and shall have a flat section at top of not less than 3 feet and a slope of at least 2 to 1 on both sides. Embankments or dikes shall be continuous, with no opening for piping or roadways. Piping shall preferably be laid over or under embankments; if it is necessary to install pipes through embankments, concrete wing walls shall be provided. Brick or concrete steps shall be used where it is necessary to pass over.

3. TANKS INSIDE BUILDINGS. Such tanks shall not be located above the lowest story, cellar or basement of building. Tanks shall be located below the level of any piping to which they may be connected, or if this is impracticable, satisfactory arrangements shall be made to prevent siphoning or gravity flow in case of accident to equipment or piping. Tanks shall be set on a firm foundation and those exceeding 2500 gallons capacity shall be supported independently of the floor construction. Steel tanks shall be completely enclosed with a heat insulation equivalent to reinforced concrete not less than 12 inches in thickness, with at least a 6-inch space on side between tank and concrete insulation filled with sand or well tamped earth, and with 12 inches of sand on top of tank, either between tank and concrete slab or above concrete slab.

4. LOCATION OF TANKS. If underground tanks is within 10 feet of any building and the top of the tank is above the lowest floor or pit of the building, the tank shall not exceed a capacity of 50,000 gallons, and must be of metal entirely closed in concrete without air space. Above ground tanks may be located not less than 10 feet from line of adjoining property or nearest building.

5. PIPING, VALVES, STRAINERS, HEATERS. Cross-connections permitting gravity flow from one tank to another shall be prohibited except in the case of ~~Swiss~~ tanks where this may be permitted through an open connection. All pipe connections to tanks and other oil containing or using devices shall be made in a substantial, workmanlike manner. All piping shall be of the standard full weight wrought iron or steel type for working pressures less than 100 pounds; for working pressures in excess of 100 pounds, extra heavy pipe and fittings shall be used. No pipe less than one-half inch internal diameter will be permitted. Piping shall be run as directly as possible without sags, and so laid that where possible pipes pitch toward the supply tank without traps; provisions shall be made for expansion, contraction, jarring and vibration. All connections of air lines to burners shall be made on the upper side and shall extend upward for a distance of at least 12 inches. Piping for systems with working pressures under 100 pounds after installation shall be tested and proven tight at a pressure 50 per cent in excess of the working pressure. No right and left couplings, shall be used, and unions shall be of any approved type. Piping between any separated oil containing or using part of the equipment shall be, as far as practicable, laid outside of the building underground, and properly protected against corrosive action; if necessarily inside, it shall preferably be laid in a trench with proper metal cover; if on floor or subject to mechanical injury, it shall be protected. Pipes leading to the surface of the ground or above the floor, particularly risers to furnaces, shall be protected against injury. Fill pipes and vent pipes shall also be protected. Riser pipes from the oil supply lines to burner fittings shall be not less than 1 inch in size. All outside piping shall be laid in solid earth, or in a trench. Oil pipes shall not be located near nor in the same trench with other piping, excepting steam lines for heating. Propping the pipes on wooden blocks shall be avoided. Openings for pipes outside walls below the ground level shall be made oil-tight and securely packed with flexible material. All valves shall be of an approved type. Shut-off valves shall be provided on both sides of any strainer which may be installed in pipe lines; in discharge and suction lines to pump; in discharge and return lines to any tank, as near tank as practicable and in branch lines near burners. An

outside readily accessible valve shall be provided on all supply lines entering buildings. In installations where the pump is located at a distance from the burners, it is advised that a remote control device be installed so that the supply of oil can be cut off at the pump in case of accident. A check valve of an approved type shall be installed in each air line where an enclosed type burner is used. A pressure relief valve shall be installed in supply line to burners and so arranged as to return surplus oil to supply tank. The use of automatic shut-off valves for the oil supply is recommended. In systems where either steam or air is used for atomizing, the oil and atomizing supply shall be interlocked in an approved manner so that in case of interruption of the atomizing supply, the oil will immediately be cut off. A test well or gauging device shall be installed, and so designed as to prevent the escape of oil or vapor within the building at any time. Top of well shall be sealed, and where located outside of building, kept locked when not in use. Suitable strainers shall be installed in the suction line. Large basket strainers are recommended in the receiving or filling line of storage tank to remove dirt and foreign matter. Where it is necessary to heat oil in storage tanks in order to handle it, the oil shall not be heated to a temperature higher than 40 degrees F. below the flash point, closed cup. Heating shall be done by means of properly installed coils within the tank, using only steam or water. Thermostatic control and thermometer shall be provided for all heating devices. Heaters shall be of substantial construction; all joints shall be made oil-tight. Only steam, water or approved electrical heaters shall be used for pre-heating. Heaters shall be by-passed so that in warm weather it will not be under constant pressure while not in use.

(c) Burners--Pumping systems. The burner mechanism shall be so designed as not enlarge the orifice, and so that the needle valve cannot be unscrewed and removed in operating. The burner shall be properly supported, if necessary, independently of the piping. Oil shall be pumped from tank to burners, except where auxiliary tanks or pressure tanks shall not exceed 60 gallons and automatic shut-off is provided at the burners. Pumps shall be in duplicate, of an approved design, and secure against leaks. Pumps shall be located in a room cut off from oil burning devices and provided with entrance which can be reached without passing through room where burners are located; if this is not practicable, provisions shall be made for remote control. Pumps used in connection with the supply and discharge of storage tanks shall be located outside embankment walls, and at such a point that they will be accessible at all times, even if the oil in the tank or reservoir should be on fire.

(d) Diagram of Piping. The contractor installing the fuel oil equipment shall furnish copies of diagrams showing all of the main oil lines and controlling valves, and these diagrams shall be posted where the oil system is installed, and also at some other point which will be accessible in case of a fire where the fuel oil equipment is located.

(e) Domestic Oil Burning Equipment. Oil used for fuel under these rules shall be topped or distilled oil, having a flash point of not less than 130 degrees F., closed cup. An oil burning system shall consist of all equipment connected to burner and located within the building, including auxiliary supply tanks and provisions for filling same, piping, burner, and all accessories. Only systems approved by the chief of the fire department shall be used.

1. Storage Tanks. Storage tanks shall be located outside underground, provided, that when the aggregate capacity shall not exceed 275 gallons, tanks may be located inside of building or above ground. The material and construction of outside tanks shall be in accordance with the requirements for storage tanks for oil burning equipment. Inside storage and auxiliary supply tanks of more than 10 gallon capacity shall be constructed of galvanized steel, basic open hearth steel or wrought iron of not less than No. 16 U.S. Gauge. Auxiliary supply tanks of 10 gallons or less capacity may be constructed of brass, copper or galvanized plate of not less than No. 18 U. S. Gauge. Joints shall be made as specified for outside underground tanks in the preceding regulations.

2. Gravity and Pressure Tanks. Auxiliary supply tanks may be of gravity or pressure type, provided that in no case shall the capacity of such tank exceed 60 gallons. If located within a building, gravity tank shall not be within 5 feet, or pressure tank within 10 feet, measured horizontally from any fire or flame. Gravity or pressure tanks shall be substantially and rigidly installed on incombustible supports in such a manner as to insure protection against mechanical injury. Tanks for systems under pressure shall be designed for six times the maximum working pressure and be tested and proven tight at twice the maximum working pressure; maximum working pressure shall not exceed 50 pounds. Tanks shall be provided with a reliable pressure gauge and an automatic relief valve piped to discharge outside of the building. Gauging devices or test wells, the breakage of which would permit the escape of oil or vapor within the building, shall be prohibited. Auxiliary tanks shall be filled by pumping from storage tanks or if gravity or pressure tanks contains the entire storage, fill pipe shall extend to and terminate outside the building, as provided for tanks for oil burning equipments of preceding regulations, and in such cases tanks shall be so installed that in case of overflow, oil will not enter building. Auxiliary tanks shall be provided with an overflow connection draining to storage tank, which pipe shall be not less than one size larger than the supply pipe from pump. The overflow pipe of gravity tanks shall not be provided with valves or other obstructions; but overflow pipe of pressure tank and oil supply pipe shall be provided with inter-connected valves, so designed that the opening or closing of overflow pipe shall result similarly in oil supply pipe.

3. Pumps. Oil pump used in filling auxiliary tank from the main storage tank shall be of approved type, secure against leaks, with check valves located as close to pump as convenient. Pumps shall be rigidly fastened in place.

4. Piping, Valves. Standard, full weight, wrought iron steel or brass pipe with substantial fittings shall be used and shall be carefully protected against mechanical injury in a manner satisfactory to the chief of the fire department. In all piping systems proper allowance shall be made for expansion and contraction, jarring and vibration. All joints shall be made with litharge. All piping shall be separated from electric wires not enclosed in approved conduits, raceways and armored cable, by some continuous and firmly fixed non-conductor creating a permanent separation, as provided in the national electrical code. The use of tubing of any kind is prohibited. Supply pipe shall be not less than one-fourth inch in diameter, iron pipe size, and when oil is pumped to the burner,

return pipes shall be at least the same size. Pipe connections to tanks shall be suitably reinforced, and proper allowance made for expansion and contraction, jarring and vibration. Openings for pipes through masonry walls below the ground level shall be made oil-tight and securely packed with flexible material. All connections shall be made perfectly tight with well fitted joints. Unions shall be used at burners to facilitate removal. All unions shall be of approved type, having conically faced joint, obviating the use of packing or gaskets. Piping shall be run as directly as possible, and in the case of pumping systems, so laid that if practicable the pipes are pitched back toward the storage tank without traps. Systems under pressure shall be designed for six times the working pressure and installation when complete shall be tested and proven tight at twice the maximum working pressure. Readily accessible valves shall be provided near each burner and also close to the auxiliary tank in the pipe line to burners. Control valves shall be of approved type provided with stuffing box of liberal size, containing a removable cupped gland designed to compress the packing against the valve stem and arranged so as to facilitate removal. Valve shall be designed to close against the supply, and to prevent withdrawal of steam by continued operation of the hand-wheel. The use of packing affected by the oil or heat is prohibited. The size of the orifice through which the oil is supplied to the burner shall be limited to furnish only sufficient oil for maximum burning conditions when the controlling valves are wide open. Valves shall be arranged so as to enlarge the orifice.

5. Burners. Installation. Suitable automatic shut-off to prevent abnormal discharge of oil at the burner shall be provided for all systems. Burners containing chambers which allow the dangerous accumulation of gases, or conveying pipes or parts which, when subject to intense heat become stopped up due to carbonization, are prohibited. Burners shall be so designed as to permit the ready cleaning and not allow the leakage of oil. Automatic systems shall be so designed that the flame cannot be extinguished by operation of the automatic control valve, unless a pilot light shall be provided in the combustion chamber. Previous to the installation of the burner, the ash door of the furnace shall be permanently removed, or bottom ventilation otherwise provided to prevent the accumulation of vapors within the ash pit. Stoves or ranges originally designed for use of fuel other than oil should not be used in connection with oil burners unless spaces in which vapors might collect are adequately vented. No damper shall be permitted in the chimney uptake that may entirely shut off the passage of fumes or gases up the flue. No combustible material shall be stored within 10 feet of furnace door. Near the furnace, and so located as to be convenient for use in emergency, there shall be provided a hand fire extinguisher of approved type suitable for use on oil fires. A card giving complete instructions in regard to the care and operation of the system shall be permanently posted near the apparatus. Said card shall be placed under glass and framed. Oil burning equipment shall be installed only by properly qualified mechanics experiences in this kind of work.

(f) Permits for Construction. No new plant or any reconstruction of any old plant, using oil for fuel, for producing power or heat, or either of them, shall be constructed, enlarged, altered, operated or maintained in the city until plans and specifications of the same have been filed by the owner, agent or contractor in the office of, and approved by the chief of the fire department and a permit issued by him for such construction, reconstruction or maintenance. The plans and specifications to be filed with the chief of the fire department shall show a diagram of the piping, location, setting and capacity of tanks, burners and pumps, and all other information required by the chief of the fire department.

(1) Upon the approval of such plans and specifications, a duplicate set of which shall be left on file in said office, and upon the payment of the fees hereinafter provided, the chief of the fire department shall issue a permit for the construction, erection or maintenance of such plant. As soon as the chief of the fire department has issued permit as above provided, it shall be his duty to see that the execution of the work permitted is carried out in conformity with the plans and specifications.

(2) It shall be unlawful for any person to use any new or reconstructed, plant, using oil for fuel, until he shall first have procured the final certificate from the chief of the fire department that the plant is constructed in accordance with the plans and specifications filed with the chief of the fire department at the time the permit was issued.

(3) Fees for Inspection. A fee shall be charged for the inspection of plans and specifications for the construction, reconstruction or alteration of any plant, which fee shall include the issuing of permit and certificate in case such are granted, as follows:

For plants in residences-----	\$2.00
For all plants except in residences-----	5.00

Said fees shall be collected by the chief of the fire department and by him paid into the city treasury.

SECTION 296.

Each and every violation of the provisions of the preceding section shall constitute a separate offense.

SECTION 297.

If any section, subsection, sentence, clause, or phrase of section 295 is, for any reason, held to be unconstitutional, void or unlawful, such decision shall not affect the validity of the remaining portions of this ordinance. The city council of Park City, Utah, hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional, void or unlawful.

## SECTION 298. FLASH TEST FOR OIL.

No petroleum, distillate, kerosene, coal oil, or product of petroleum shall be used for fuel, cooking, heating or illuminating purposes, within the fire limits of Park City, unless the same will stand the standard flash test of one hundred and ten (110) degrees Fahrenheit, or outside the fire limits without first obtaining a permit from the chief of the fire department, who in issuing or refusing such permit shall exercise a reasonable and sound discretion, taking into consideration the character of the applicant and the intended location.

## SECTION 299. OILS AND LIQUIDS. CONTAINER.

All gasoline, benzine, naphtha, kerosene, coal oil or other product of petroleum, or hydrocarbon liquids in any quantity permitted in this ordinance, shall always be kept in metallic cans, or tanks, except when in barrels, as herein provided.

## SECTION 300. ADULTERATING OILS.

It shall be unlawful for any person to mix or adulterate any oil used for illuminating with benzine, naphtha, gasoline or any other substance; or to offer for sale any illuminating oil so mixed or adulterated; and all oils or fluids manufactured from petroleum or its products, to be used for illuminating purposes, shall be required to stand a fire test of 110 degrees Fahrenheit, before they flash or emit an inflammable vapor.

## SECTION 301. MANUFACTURE OF EXPLOSIVE CHEMICALS.

It shall be unlawful for any person to manufacture acids, or any combustible or explosive chemicals, or boil or refine oils, or maintain, erect or cause to be erected any works for the manufacture of acids or explosive chemicals, or for the boiling or refining of oils, within forty rods of any dwelling house or place of business.

## SECTION 302. STORAGE OF EXPLOSIVE SUBSTANCES.

It shall be unlawful for any person to receive, keep, store, or suffer to remain in any place within the limits of Park City, any explosive substance, having an explosive power greater than that of ordinary gun powder.

## SECTION 303. PLACE OF STORAGE. WHEN TO BE OPEN.

It shall be unlawful for any person to open, permit or cause to be opened the place wherein the articles described in this chapter are kept stored, before sunrise or after sunset on any day, or to carry, or permit or cause to be carried into or to be kept in such places, any fire or light at any time.

## SECTION 304. APPLICATIONS FOR LICENSES AND PERMITS.

All applications for licenses or permits required by the provisions this chapter shall be made in writing and addressed to the chief of the fire department.

## SECTION 305. LOCATION AND INSTALLATION OF UNDERGROUND STORAGE TANKS.

Underground tanks used for storage of petroleum, gasoline, benzine, naphtha, distillate, products of petroleum or hydrocarbon liquids not of standard flash test shall comply with the following regulations:

No such tanks shall be located inside the walls of any buildings. Tanks of not to exceed 300 gallons capacity, with permission of the city council, may be located under the sidewalk or beneath the surface of public alleys or where the space under a sidewalk is excavated and used as part of basement. Such tanks may rest in such space either on basement floor or beneath it; provided, that any such tank resting on or beneath the basement floor must be surrounded by a brick or concrete wall not less than twelve (12) inches thick, extending from bottom of tank to four (4) feet above thereof. The space between top of tank and top of wall shall be filled with earth which shall be covered with a layer of concrete at least three inches thick. Where more than one such tank is installed on any premises, tanks shall be separated by at least one (1) foot of sand well tamped in place and no such tanks shall be covered unless inspection has been made by the chief of the fire department. Tops of all such tanks shall be below the lowest pipeline in the building or structure used in connection with storage tank.

No underground tank shall have a capacity of more than one thousand (1000) gallons, and not more than four such tanks, or a total of four thousand (4000) gallons capacity, shall be installed in any one location. In the event more than one such tank is installed, then each tank shall be separated from the others by at least two (2) feet of sand. No tank shall be closer than fifteen (15) feet from any adjoining building, actual service station structure excepted.

(a) RESTRICTIONS. All tanks located underground shall have top of tanks at least four (4) feet underground and below any piping to which tanks may be connected, except, in lieu of the four feet of earth, the tanks may be buried under 42 inches of earth and a cover of reinforced concrete at least six (6) inches in thickness, which shall extend at least one (1) foot beyond the outline of the tank in all directions, said concrete slab to be set on a firm, well tamped earth foundation. Tanks shall be securely anchored and weighted in place to prevent floating. Tanks shall be set on a firm foundation and surrounded with soft earth or sand, welltamped into place or encased in concrete. Tanks may have a test well, provided test well extends to near bottom of tanks, except when used for fuel oil, and top end shall be hermetically sealed and locked except when necessarily opened.

(b) Construction. With the exception of existing tanks in good condition, all tanks shall be made of galvanized steel, basic open hearth steel, or wrought iron of a minimum gauge U.S. standard, depending upon the capacity or size:

Capacity-gallons	Minimum thickness of material
1 to 560-----	14 U.S. standard gauge
561 to 1100-----	12 U.S. standard gauge
1101 to 4000-----	7 U.S. standard gauge

(c) Vent Pipes. Underground storage systems shall be provided with an independent and open vent pipe of a sufficient cross sectional area to permit proper inflow of liquid during the filling operation, but in no case less than one (1) inch in diameter. Such vent pipe shall run from the top of such tank to a point outside of the building, and the end of opening shall be at least twelve (12) feet above the level of the source of supply and in a location remote from fire escapes and never nearer than three (3) feet, measured horizontally and vertically, from any window or other openings. Such vent pipe shall terminate in a "gooseneck" protected in the outer end by 30x30 mesh (or its equivalent) brass wire screen. An approved combined vent and filling pipe, so equipped and located as to vent the tank at all times, even during filling operations, may be used. The vent pipe from two or more tanks may be connected to one upright pipe, provided they are so connected at a point at least one (1) foot above the level of the source of supply, and each individual vent pipe shall be screened between the tank and the upright pipe.

(d) Drawing-Off Pipes. No drawing-off pipe shall terminate inside any building. When delivery is by gravity, pipes shall have valves of the approved type and in addition must have an emergency valve.

(e) Pipes. All pipes shall be of standard full weight brass, galvanized iron or galvanized steel, with suitable brass or galvanized malleable iron or galvanized steel fittings. No rubber nor other packings and no flanges shall be used. If unions are used, at least one face shall be of brass with close-fitting conical joints. Litharge and glycerine shellac or other suitable material shall be used on pipe joints. Piping shall be run as directly as possible without sag and so located that pipes pitch toward the supply tank without traps. Provisions shall be made for expansion, contraction, jarring and vibration. All piping shall be laid underground and shall be laid outside of building. Openings for pipes through outside walls shall be securely cemented and made oil-tight. Piping must be protected against mechanical injury when within five feet of ground level. Cross connections permitting gravity flow from one tank to another are prohibited. Except storage tanks may be connected to a 50-gallon tank for the purpose of pumping the liquid.

(f) Filling Pipe. The end of the filling pipe for underground storage tanks shall not be within five (5) feet of any entrance door or cellar openings and shall be set in an approved metal box with cover, and shall be kept locked except during filling operations. Such filling pipe shall be closed by a screw cap. A 30x30 mesh, or its equivalent, brass screen strainer shall be placed in the supply end of such filling pipe.

(g) Deliveries Direct. Deliveries of inflammable liquids shall be made directly to the storage tank through the filling by means of a hose or pipe between the filling pipe and the barrel, tank wagon, or tank car from which such liquid is being drawn.

(h) Pumps. In all cases, inflammable liquids shall be drawn from the tanks by pumps so constructed as to prevent leakage or waste splashing, or by some other system approved by the chief of the fire department, with controlling apparatus and piping so arranged as to allow control of the amount of discharge and prevent leakage or discharge by any derangement of the system.

(1) Tank Cars. When underground storage tanks are filled from a railroad tank car, such filling must be by pump from top of car and not by gravity flow. The said tank car shall be permitted to remain on the track adjacent to the underground tank for a period of time not exceeding five hours.

Under no circumstances shall either underground or overground tanks be permitted in fire limits No. 1 of greater capacity than 1000 gallons each, nor more than two such tanks at any one location.

#### SECTION 306.

Each and every violation of the provisions of the preceding chapter shall constitute a separate offense.

#### SECTION 307.

If any section, subsection, sentence, clause or phrase of section 305 is, for any reason, held to be unconstitutional, void or unlawful, such decisions shall not affect the validity of the remaining portions of this ordinance. The city council of Park City, Utah, hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional, void or unlawful.

#### SECTION 308. INSPECTION FEES.

Whenever application is made for a permit to install or change the location of any storage tank constructed as provided in this chapter, the applicant therefor shall pay to the chief of the fire department at the time of making such application the following fee:

For inspecting the installation or change the location of any storage tank built above ground or underground an inspection fee of \$2.00.

#### SECTION 309. GENERAL PROVISIONS.

It shall be unlawful for any person to keep or store any giant or gun powder, nitroglycerine, explosive caps, coal oil, gasoline, or any hydrocarbon liquid except as herein provided by this chapter.

#### SECTION 310. MAGAZINES, LOCATED WHERE.

Magazines for the storage of powder or explosives shall be located at least three hundred yards from any dwelling in this city, and not nearer than one hundred yards to any public highway.

#### SECTION 311. PERMISSION OF COUNCIL TO BUILD MAGAZINE.

It shall be unlawful for any person to erect or maintain any magazine for the storage of explosives, coal oil, gasoline, or any hydrocarbon liquid without first making application to the council, specifying in said application the location of said proposed magazine, its proposed construction, dimensions, and the proposed use of same. Such application shall be acted upon by the city council, and if it is approved and the permission granted, the city recorder shall issue a permit for the construction as per the application and the description furnished therewith.

Section. 312. POWER TO REMOVE MAGAZINE.

The city council may at any time order the removal of any magazine and any person having control of any magazine within the city limits, who shall store powder, explosives, coal oil, gasoline, or any hydro-carbon liquids in said magazine after thirty days from the date of notice that said magazine is to be closed by order of the council, shall be guilty of a misdemeanor.

Section 313. CARRIER MUST NOTIFY CONSIGNEE WHEN.

Any railroad company, or other carrier, shipping or bringing powder or explosives into this city in greater quantities than one-hundred pounds shall immediately notify the company thereof, to whom the same is consigned, and it or they shall at once remove the same to its magazine. Such powder must be removed within twenty-four hours from the receipt of this notice. In no case shall powder in cars or other vehicles be allowed to stand nearer any building or combustible material than one hundred feet, unless the same is being removed from said car or vehicle.

Section 314. WATCHMAN.

It shall be unlawful for any railroad or other carrier which are bringing explosives into this city in greater quantities than one hundred pounds to leave the same within the limits of this city without a watchman in attendance at all times during the time that such explosives are in the city limits.

Section 315. STOPPING ON PUBLIC HIGHWAYS IN CITY.

It shall be unlawful for any carrier, trucker or any person transporting powder, caps or any explosives to stop or park on the public highways of Park City for a longer period than five minutes except for delivering the said powder, caps, or explosives.

Section 316. CHIEF OF FIRE DEPARTMENT TO APPROVE.

The approval of the chief of the fire department must in all cases be had as to the safety of the place in which samples of gasoline, coal oil, or other hydro-carbon liquids are kept, and the person or company keeping samples of said merchandise within their places of business without said approval shall be guilty of a misdemeanor.

Section 317. MAGAZINE TO BE SUBJECT TO INSPECTION.

All places or magazines, where explosives, coal oil, or any hydro-carbon liquids are kept shall be subject to inspection by the chief or his deputy, at any reasonable time, for the protection of life and property in case of fire. The term "chief" in this section shall mean fire chief.

Section 318. PENALTY.

Any violation of any of the provisions of this chapter shall be considered a misdemeanor and shall be punishable by a fine of not less than \$50.00 nor more than \$299.00, or a jail sentence of not less than 50 days in the city jail nor more than 90 days in said jail or both fine and jail sentence

## FEES-----ACCOUNTING.

## SECTION 319. OFFICERS. CASH BOOKS. RECEIPTS.

All elective and appointive officers shall be strictly accountable for all fees and moneys collected by or paid to them or to any deputy or assistant in their respective departments.

It shall be the duty of every officer who is authorized to receive any fees for official services of himself or his deputies or his assistants, or of any other officer or his deputies or assistants who are authorized to make any collections, to keep a cash book in which shall be entered an exact and full account in detail of all fees, commissions, compensations or collections of whatever nature or kind, with the date collected, and the name of the payer and the nature of the collection in each case.

All blank receipts, permits, certificates of license or other blank forms and tags and metallic plates which are intended to facilitate or place a check upon the collection of the revenue shall be subject to the approval of the city council.

## SECTION 320. PAID INTO TREASURY. SWORN STATEMENT. FAILURE TO COMPLY

The head of each office where fees and moneys are or shall be collected shall at the close of each days business, cover into the city treasury all fees and moneys collected by his office.

## Section 321. OFFENSE

It shall be unlawful for any person being an officer, deputy or assistant of Park City, to neglect or refuse to comply with the provisions of this chapter.

## CHAPTER XXIII.

## FIREARMS-- SALE OF--REGULATIONS, ETC.,

## Section 322. UNLAWFUL FOR MINORS TO HAVE GUNS. ETC.,

It shall be unlawful for any minor to possess or have in his or her possession in any street, alley, lane park, yard, or place, whether public or private, within the city limits, any gun, revolver or firearm of any kind, or air gun, rubber flipper, or bow and arrow or "nigger shooter", or other instrument designed to throw missiles.

## Section 323. UNLAWFUL FOR PARENTS TO PERMIT, ETC.,

It shall be unlawful for any parent or guardian or person having the charge or control of any minor, to allow or permit such minor to have or possess or use in any place, either public or private, within the city limits, any fireare, air gun, or instrument designed to throw missiles.

It shall be unlawful for any person, firm or corporation to give, or to sell or to furnish to any minor any firearm or other instrument designed to throw missiles.

Section 325. REGISTER OF SALE OF FIREARMS AND EXPLOSIVES.

It shall be unlawful for any person to sell, loan or give away any pistol, revolver, gun, or similar weapon, or any shell, powder, dynamite or other explosive without first making a full and complete record in a book kept by him for that purpose, containing the name, residence, occupation and nationality of the purchaser or recipient and a statement of the purpose for which purchased or obtained, together with the number or amount or amounts of such article purchased or obtained, and a description of the same including the factory number and manufacturer's name, and the date when sold or obtained; said book or register shall be open at all times to the inspection of the chief of police or his representative; and it shall be the duty of any person making such sale, loan or delivery of any such article or thing to deliver to the chief of police at the close of business of each day a copy of the register required to be kept, showing the transactions with regard to such articles each day.

SECTION 326. FIREARMS AND EXPLOSIVES. PERMIT FOR PURCHASE OF.

It shall be unlawful for any person other than a manufacturer or wholesaler thereof to or from a wholesale or retail dealer therein for the purpose of commerce, directly or indirectly to buy, sell, borrow, loan, give away, trade, barter, deliver or receive within the limits of Park City, any pistol, revolver, gun, or similar weapon, or any ammunition, shell, powder, dynamite or other explosive, unless the buyer, borrower or person receiving such weapon, ammunition or explosive, shall first obtain and deliver to and the same be demanded and received by the person selling, loaning or delivering such weapon, ammunition or explosive within thirty days after the issuance thereof, a permit of the chief of the police authorizing such person to acquire such weapon, ammunition or explosive.

Such permit may be issued by the chief of police of Park City if he is satisfied that the person applying for the same is of good moral character and of lawful age, and that the purpose for which the same is sought is lawful, and the granting of the same will not endanger public safety. The permit shall recite the date of issuance and that the same shall be invalid thirty days from said date, the name and address of the person to whom granted and the purpose for which such weapon, ammunition or explosive is to be used. The permit shall be countersigned by the person to whom issued. Such permit shall not be transferable. If the permit be not used it shall be returned to the chief of police. If the permit is used, the person receiving the same shall return it to the chief of police at the same time that a report is made to the chief of police, as required by the preceding Section.

## CHAPTER XXIV.

## FIRE DEPARTMENT.

## Section 327. ORGANIZATION. Rules and By-laws.

The fire department of this city shall consist of one chief of the fire department and an assistant chief; a foreman in each ward of the city and a sufficient number of men, between the ages of twenty-one and forty years, to form an efficient department for protection against fire. The department may adopt such rules and by-laws as may be deemed necessary for its proper organization and regulation not in conflict with city ordinances.

The chief may enlist such additional number of men as the exigencies may require. All enlistments and appointments shall be subject to the approval of the city council.

## Section 328. CONTROL.

The fire department shall be under the sole control of the fire chief, who shall act by and with the advice of the mayor and city council.

## Section 329. FOREMEN. COMPANIES.

The foremen shall be appointed by the chief of the fire department, by whom they shall regard as deputies. The members of the department in each ward are to be organized by the foreman of such ward into a company and to be directly responsible to such foreman and subject to his orders.

## Section 330. FOREMAN, DUTIES AND POWERS.

Each foreman shall present himself at all fires within the city limits and immediately report to the chief. He shall be subject to the call of the chief whenever the necessities of the occasion require. The first foreman on the ground shall take charge of and superintend all firemen until the arrival of the chief, to whom he shall make immediate report. In case of fire, the foreman shall keep all idle and suspicious persons from the vicinity of the fire, for which purpose the foremen are hereby given police authority.

## Section 331. CONDUCT AT FIRE.

Upon the alarm of fire all members and officers of the department shall hasten to the place of fire with their engines, hose and other fire apparatus, and under the proper officers shall continue to exert their utmost efforts to extinguish the fire until relieved by the officer in charge. They shall then return their engines, hose and all other apparatus, thoroughly cleaned to their respective places of keeping.

## Section 332. APPRATUS. REVIEW OF DEPARTMENT.

All engines, hose and other fire equipment shall be kept at such place or places as the council shall provide and designate, and shall be kept in the best condition for immediate use. There shall be a general review of the fire department by the mayor and city council at least once each year.

Section 333. INTERFERENCE WITH APPARATUS. PENALTY.

Any person who may use or in any way interfere with the fire apparatus without the consent of the chief, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be punished by a fine not exceeding \$100.00, or by imprisonment in the city jail not exceeding two months.

Section 334. REMOVAL OF OBSTRUCTIONS AT FIRE.

The chief of the fire department, with the consent of the mayor, or in his absence any councilman, may order the removal or destruction of any fence or other building or structure when it may be deemed necessary for the purpose of checking the progress of the fire. All persons at any fire shall be subject to the orders of the officer in charge in the removal and protection of property and in extinguishing the fire.

Section 335. LIMITS AT FIRES.

The marshal, in conjunction with the officer in charge, may prescribe the limits in the vicinity of the fire within which no person except members of the department, marshal and police or those admitted by order of the officer in charge shall be permitted to come.

Section 336. DISOBEDIENCE OF BYSTANDERS. PENALTY.

During the time of the fire and for thirty-six hours after its extinction any suspicious person or any person refusing to obey the orders of officers acting in discharge of their official duties, shall be subject to immediate arrest and confinement in the city jail, and on conviction of the violation of any of the provisions of this chapter, shall be liable to a fine in any sum not exceeding \$100.00

Section 337. SAME.

The marshal, chief, foreman, or any officer in charge of the department may require aid of every citizen, inhabitant or bystander in drawing any engine, cart or other fire apparatus to the fire, and upon the refusal or neglect of any such person to immediately comply with such requirement, the offender, shall, upon conviction thereof, be liable to a fine not exceeding twenty-five dollars.

Section 338. UNLAWFUL INTERFERENCE WITH OFFICERS, APPARATUS, WATER, ETC., PENALTY

Any person who shall wilfully hinder any officer or foreman in the discharge of his duty at a fire or in any manner injure, deface or destroy any engine, hose or other fire apparatus belonging to the city, or who shall interfere with any fire company or other person, or who shall wilfully break or injure any water pipe, or in any way interfere with the water or its source of supply, shall be deemed guilty of a misdemeanor, and on conviction thereof, shall be punished by a fine not to exceed \$299.00 or by imprisonment not exceeding three months or by both such fine and imprisonment.

Section 339. FALSE ALARMS. PENALTY.

Any person who shall without cause give an alarm of fire by outcry or ringing of bells or otherwise, shall be deemed guilty of a misdemeanor; and, upon conviction thereof shall be fined in any sum not to exceed fifty dollars.

Section 340. MAYOR AND COUNCILMEN. EXEMPTION FROM DUTY.

Any member of the fire department who shall be elected to the office of mayor or city councilman, shall, during his incumbency in office, be exempt from all duties in the fire department.

Section 341. APPROPRIATION.

The sum of Thirty-five dollars per month is hereby appropriated for the use and benefit of the fire department, to be expended under the directions of the chief, who shall, from time to time, report to the council the purposes for which any moneys so appropriated shall have been expended.

Section 342. COMPANY FIRE DRILL.

It shall be the duty of the chief to require each company to hold a fire drill once a month during the months of May, June, July, August, September and October of each year.

Section 343. UNLAWFUL TO CROSS FIRE HOSE.

It shall be unlawful for any person to drive or operate a vehicle, within this city, so as to cause the same to be driven upon, over or across any hose of the fire department of this city, without the consent of the fire department official in charge of said hose.

CHAPTER XXV.

CHIEF OF THE FIRE DEPARTMENT.

Section 344. APPOINTMENT.

The mayor, with the advice and consent of the council, shall appoint a chief of the fire department, who shall qualify by filing a bond with the city recorder in the sum of Five Hundred Dollars, unless the office is held by the city marshal in which event no bond other than that of a city marshal shall be required, conditioned upon the faithful performance of his duty, and shall take and subscribe the constitutional oath of office.

Section 345. OFFICE MAY BE HELD BY MARSHAL.

The office of chief of fire department may be held by the city marshal.

Section 346. Duty and Power.

The duty of extinguishing fires and of protecting life and property within the city is entrusted to the chief of the fire department.

He may divide the city into fire districts, and make such rules and regulations, subject to the approval of the mayor and city council, for the government of all officers and members of the department, as he may deem expedient. He may make suitable regulations under which the officers and members of the department shall be required to wear an appropriate uniform or badge, by which, in case of fire and other times, their authority and position in the fire department may be known. Under the direction and with the approval of the city council, he may purchase extinguishers, hose, carriages, hooks and ladders, trucks, and all other apparatus and supplies necessary for the fire department. The chief shall have sole and entire command over all officers and members of the department at fires. He shall have full charge at all times of all apparatus and appurtenances belonging to the department, and he shall adopt such measures as he shall deem expedient for the extinguishment of fires, protection of property, or preservation of order and the observance of the laws of the state, ordinances of the city, and regulations of the city council. It shall be the duty of the chief of the department, to examine into the condition of all houses, and other structures, and of all apparatus and appurtenances belonging to the department, and to inspect engines, hose, and hook and ladder equipment.

Section 347. SPECIAL DUTY.

It shall be especially the duty of the chief of the fire department to see that at all times the provisions of these ordinances relating to the protection and regulation of property are strictly enforced, as also all provisions of these ordinances for the prevention of, and protection against fires .

Section 348. INVESTIGATION AFTER FIRES. REPORT.

The chief, or in his absence, his assistants in charge of the fire shall, after its extinguishment, make a prompt and thorough investigation of the cause of the fire, the time of the breaking out, the amount of loss and insurance, a description of the effected buildings and premises, and shall secure all other useful information and data available, and record the same in a record book kept for that purpose in the office of the department, and shall report the same to the city council at its first regular meeting after said fire.

Section 349. POWER TO REMOVE.

The chief of the fire department shall have power to remove any officer or member of the department at any time he sees fit, and in case of such removal, he must report the same, together with the cause for such removal, to the council at the next regular meeting .

Section 350. APPOINTIVE POWER.

The chief is authorized to appoint three hose company foremen who shall have charge of their respective teams, and whose appointment shall be reported to the city council at its next regular meeting succeeding such appointment.

Section 351. SALARY. WHEN AND HOW PAID.

The salary of the chief of the fire department shall be fixed by the city council, and shall be paid from the general funds upon warrant drawn upon the city treasurer.

## Section 353. FIREMEN AT THEATRES. ETC.,

The chief of the fire department shall have the power to assign to duty one or more firemen upon the stage of any theatre, public hall, lecture room or other place where large audiences are assembled; such firemen on duty shall have the power to prohibit smoking, careless handling of torches, red fire, electric light apparatus, gas jets or any combustible material. It shall further be the duty of such firemen to prohibit the storage of scenery, stage furniture, baggage or other properties in such manner as will interfere with the apparatus used for the extinguishment of fires. It shall be the duty of the owner, agent, occupant or lessee of all theatres or other places where the firemen are assigned to duty to allow the firemen access to all parts of the building or premises for the purpose of inspection and to allow them to perform the duties above set out.

## CHAPTER XXVI.

## Section 354. FIRE LIMITS.

The following are hereby established as the fire limits of Park City, to-wit:

Commencing at the southwest corner of Block 13, Park City survey, and running thence northerly on Park Avenue to Heber Avenue, thence along Heber Avenue to Marsac Avenue; thence southerly along Marsac Avenue to First Street, thence westerly along First Street to Hillside Street; thence southerly along Hillside street to Daily Avenue; thence northerly to the place of beginning.

## Section 355. CERTAIN BUILDINGS PROHIBITED.

Within the above described limits it shall be unlawful to erect, or without the written consent and approval of the inspector of buildings to repair any building or shed, the outer walls of which are in whole or in part constructed of wood except so much as may be necessary for door or window frames, cornice, doors, sash and shutters, and the roofs of all buildings here after erected or newly roofed within said limits shall be covered with metal or other incombustible material. Each building shall be separated from all buildings by a partition wall of brick, cement, adobe, or rock, not less than nine inches thick, if between one-story buildings, and one foot thick if between buildings more than one-story from the foundation to the roof, from front to rear and extending through and above the roof, not less than two feet, so as to entirely separate any communication of wood between such building and any other. In all buildings where fire is kept there shall be flues or chimneys built of rock, cement, brick or adobe, and all stovepipes shall be conducted into flues or chimneys, and if they pass through a wooden partition or floors, they must be protected from the same with metal ventilated thimbles; and in no case shall a stovepipe be allowed to pass through the roof or out of the side wall of any building; provided, that the above shall not apply to the erection and repair of out houses, not exceeding ten feet square and eight feet high.

Section 356. FIRE LIMITS EXTENDED UPON APPLICATION.

The erection of such buildings as do not comply with the requirements of the foregoing section upon any half or whole block not included within the aforesaid limits may be prohibited upon application to the city council in writing, signed by the owners of the greater part of the real property in said whole or half block. Such application shall be accompanied by a plat of the half or whole block, designating the property of each owner by his name, written on the plat, representing his property, and the city council, being satisfied that the applicants are the owners of the greater part of said property may extend the fire limits over said whole or half block.

Section 357. UNLAWFUL TO STORE INFLAMMABLE MATERIAL WITHIN SAID LIMITS.

It shall be unlawful for any person to put up, stack, erect, cast, lay, or suffer or cause to be maintained, put up, stacked, erected, cast or laid any empty tar, pitch, coal oil or turpentine barrels or cases, or any hay, straw, shavings, or other like combustible material, without having the same enclosed, so as to protect it from flying sparkes of fire, within said fire limits; provided, that not to exceed five tons of hay or other forage may be kept within said fire limits, but not nearer than one hundred feet from any house, store, shop or other building or place where fire is kept.

Section 358. DUTY OF INSPECTOR OF BUILDINGS.

It shall be the duty of the inspector of buildings to notify any person or persons who shall violate any of the provisions of the foregoing section to remove or dispose of such combustible or inflammable materials in such a manner that the same will not endanger the safety of any structure or buildings, and any person or persons who shall for the space of three days after the giving of such notice, permit combustible or inflammable material to remain upon the premises owned, occupied by him, or them, or under his, her, or their control in such a manner as to be dangerous to the safety of any adjacent building or structure, is guilty of a misdemeanor, and shall be guilty of a like offense for each twenty-four hours that such combustible or inflammable material be permitted to remain upon such premises so as to endanger the safety of buildings or structures as aforesaid.

Section 359. CERTAIN ACTS PROHIBITED IN THE FIRE LIMITS.

It shall be unlawful for any person in the fire limits of this city to smoke meat, boil tar, rosin, turpentine, varnish or other combustible material in any room or place, except the same be fireproof.

Section 260. BURNING OF HAY, STRAW, LEAVES AND RUBBISH PROHIBITED.

It shall be unlawful for any person to burn, in open air, within the limits of this city, except between the hours of seven o'clock in the morning and ten o'clock in the evening any hay, straw, leaves, rubbish, or other substance; provided that such fire shall be under the direct control and supervision of some responsible person or persons.

Section 361. REPAIRS PROHIBITED.

It shall be unlawful for any person to erect or repair any building within said fire limits in violation of any of the provisions of this chapter, and it shall be unlawful for any person who shall become owner of such building after the same shall have been built to emit, neglect, or refuse to remove the same within twenty days after notice; provided, however, that the foregoing provisions of this chapter shall not be construed to prevent the removal of any building heretofore erected within the above limits, when the same can be removed bodily, and without alteration, and with the consent of persons owning property adjoining the place where said building is to be located; provided, such removal may be made upon application, with the consent of the city council, and filing with the city recorder the written consent of the parties as provided herein.

Section 362. PENALTY.

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than \$299.00 or by imprisonment in the city or county jail for not more than six months, or by both such fine and imprisonment.

Section 363. FIRE ESCAPE PROVISION.

All opera houses, dance halls, amusement halls, public or private schools, hotels and rooming houses must be provided with fire escapes and appliances for the prevention of fires as hereinafter provided.

Section 364. EXITS TO PUBLIC BUILDINGS.

Theatres, dance halls and amusement halls shall be provided with two or more exits leading from the auditorium of said buildings, exclusive of the main entrance, and the gallery of such building shall have exits which shall lead directly to the street or outside and shall be entirely separated from the exits of the main floor. Such exits shall be at least five feet in width and shall be conspicuously marked with the term "EXIT" over the same, and the doors of such exits must swing outward. Such exits shall lead to the ground by a properly constructed stairway with suitable landings for the safety of the public. After each performance the said exits shall be open for the use of the public.

Section 365. FIRE PROTECTION ON STAGE OF THEATRE.

The stage in all theatres and all houses of public entertainment shall be equipped with two-inch standpipe leading from the water mains of the city, to which shall be connected at least fifty feet of hose of like dimension, properly placed for immediate use under the direction of the chief of the fire department. During all public entertainment in said houses the chief shall be present on the stage and in case of his inability to be there present, one of his firemen shall perform that service, and he shall have charge of the fire apparatus on said stage.

## SECTION 366. EXITS AT SCHOOLS.

All schools more than one story in height shall be provided with at least two exits, which shall not be in the same side of the building, or a suitable fire escape shall be placed on said school building on the opposite side from the entrance.

## SECTION 367. ROOMING AND LODGING HOUSES TO HAVE FIRE EXITS.

All rooming or lodging houses or hotels shall be provided with modern iron fire escapes, or in lieu thereof, with stairways leading from the end of the halls, farthest removed from the inside stairways of said building, placed on the outside of the said buildings. And the exits leading to said fire escapes shall be at all times kept in good working order and conveniently placed for said fire escape. No house or building in this city, kept for the purpose of lodging guests, shall contain a blind hall, but every such hall shall be kept open at each end, either by a door or by a suitable window.

## CHAPTER XXVII

## FIRE MARSHAL.

## SECTION 368. OFFICE CREATED.

There is hereby created the office of fire marshal of Park City, which office shall be held and the duties thereof performed by the chief of the fire department of Park City, who shall be ex-officio fire marshal, but who shall receive no compensation therefore other than his salary as chief of the fire department.

## SECTION 369. DEPUTY FIRE MARSHALS.

The fire marshall shall have the power to appoint deputies subject to confirmation by the city council who shall receive no compensation or allowance of any kind from the city, and who may act in the place and stead of the fire marshal subject to suspension by the fire marshal and removal by the city council.

## SECTION 370. DUTY OF FIRE MARSHAL.

It shall be the duty of the fire marshal, by himself or deputy, to attend to the enforcement of the provisions of this chapter and all other ordinances pertaining to the protection of the city from fire.

## SECTION 371. RIGHT TO ENTER UPON PREMISES.

The fire marshal, or his deputies, shall have the right to enter upon any premises at all reasonable hours for the purpose of inspecting the same.

SECTION 372. DANGEROUS AND DEFECTIVE STRUCTURES. COMBUSTIBLE WASTE, EXPLOSIVE, STORAGE OF. NOTICE TO MAKE SAFE.

Whenever, in the judgment of the fire marshal, any building or structure, or any portion thereof, or any appurtenances or fixtures, thereto, or any chimney, smokestack, stove, oven, furnace or thing connected with such building or premises is deemed defective or unsafe, and such defect or unsafe condition is such as to create a danger from fire, or whenever the owner, or occupant of such building or structure or part thereof keeps or stores any explosive, combustible, inflammable material, waste, or rubbish of any description in such a manner that the same creates a danger of fire, the fire marshal or his deputy shall give the owner, or person having control of such building or structure not exceeding five (5) days notice of required changes, alterations, or repairs necessary to render the same safe to life and property from fire, and any person refusing or neglecting to comply with such notice shall be deemed guilty of a violation of this section.

SECTION 373. UNOCCUPIED BUILDINGS.

Whenever any unoccupied building is not properly secured or enclosed, the inspector of buildings, chief of police, chief of the fire department or fire marshal, or their deputies, shall immediately visit the premises and notify the owner or owners, agent or agents, or person having control of the same of the condition of such unoccupied building, and forthwith to secure or enclose the same, and the person so notified as aforesaid shall, within twenty-four hours, comply therewith.

SECTION 374. SIGNS OVER STREETS, ETC.,

It shall be unlawful for any person to construct or maintain any signs made of paper, muslin, cloth, or other light inflammable material on the outside of any building or structure within the fire limits of Park City.

SECTION 375. STREAMERS, ETC.,

It shall be unlawful for any person to construct, erect or maintain any streamers, banners, or signs, or suspend the same over any public street or alley of Park City without obtaining a permit so to do from the city council, application for which shall specify the width and length of said streamers, banners or signs, the height the same shall be suspended from the pavements, and the length of time the same is desired to remain.

SECTION 376. CHIMNEYS TO BE CLEANED.

It shall be the duty of the owner or occupant of every house, shop or other building, to cause the flues and chimneys thereof to be cleaned and repaired as often as may be deemed necessary by the fire marshal or by the chief of the division of building inspection.

## SECTION 377. CHIMNEYS NOT TO BE FIRED.

It shall be unlawful for any person to permit the chimneys or flues of any house, shop or other building occupied or owned by him, or of which he has control to become foul with soot or any combustible substance or material, or to permit, allow or cause the same to be fired.

## SECTION 378. DEPOSIT OF ASHES. RECEPTACLES.

It shall be unlawful for any person or persons to deposit ashes, or cause the same to be deposited or placed or permit or suffer the same to be or remain in any wooden vessel or receptacle, or in any vessel or receptacle composed or made of combustible material, or in any receptacle composed or made of any incombustible material which is located nearer than two (2) inches from any woodwork, or other combustible material or structure; or on the ground nearer than ten (10) feet to any wooden building or structure, wooden fence, lumber, wood, hay, straw or other combustible material, or in any portable receptacle which is not provided with a clear space of at least two (2) inches below the bottom thereof, or to place any combustible material whatsoever in a receptacle for ashes.

## CHAPTER XXVIII

## FRANCHISES AND SPECIAL PRIVILEGES.

## SECTION 379. APPLICATION. COPIES. FEES.

Whenever application shall be made to the city council of Park City for a franchise or grant of special privileges, or for an extension or renewal of any existing franchise or grant of special privileges, the applicant shall furnish the city recorder, for the use of the city council, ten copies of the proposed resolution or ordinance, and pay into the city treasury fee to be determined by the city council.

## SECTION 380. NON ASSIGNABLE.

All franchises and grants of special privileges shall be deemed to be non assignable without the express permission of the city council, whether such limitation is set forth in the body of the franchise or grant or not.

## SECTION 381. MANNER OF ASSIGNMENT.

All assignments of franchises and special grants must be in writing, and a copy thereof filed in the office of the city recorder before any assignment or transfer will be recognized by Park City.

## SECTION 382. FORFEITURE.

Any attempted assignment or transfer of a franchise or special privilege not made in accordance with the provisions of this chapter shall operate as a forfeiture of all the rights of the grantee therein given.

## CHAPTER XXIX

## GAMBLING AND GAMING.

## SECTION 383. GAMBLING.

All gambling and gaming of every kind and description by playing at cards, dice, faro, roulette, keno, poker, slot machines, devices known as trades machines, or any like machines or devices by whatever name known, or any contrivance or device by or with which money, merchandise or any thing of value may be staked, bet, hazarded, won or lost, upon chance, or at any other game or scheme of chance whatever, and by betting on the result of horse races, or on the result of any contest of skill or endurance of men or animals by means of book-making, pools, turf exchanges or other devices, for money or other property or thing of value within Park City is hereby declared to be unlawful.

## SECTION 384. UNLAWFUL TO PLAY AT, KEEP OR OPERATE, ETC.,

It shall be unlawful for any person to play, stake, wager, or bet any money, property or thing of value at any game, scheme or device prohibited by this chapter, or to own, conduct, keep or carry on any such game, scheme or device, either as owner, dealer, operator, agent or employee.

## SECTION 385. UNLAWFUL TO WAGER, ETC.

It shall be unlawful for any person to bet or wager money or any thing of value on the result of any horse race or races, on the result of any contest of skill or endurance of men or animals by means of book-making, pools or other devices, in any place commonly known as a turf exchange, or where pool selling or book-making for the purpose of enabling bets and wagers for money or things of value on such races or contests to be made, had or received, is conducted and carried on.

## SECTION 386. UNLAWFUL TO KEEP OR MAINTAIN GAMBLING HOUSE.

It shall be unlawful for any person to conduct, keep or maintain a house, building, or room or other place where any of the games or schemes herein prohibited are carried on, conducted or operated. It shall be unlawful for any person knowingly to permit or suffer any of the games or schemes herein declared unlawful to be carried on, kept, maintained or operated in any house, building, room or other place owned by him in whole or in part, or by him let or leased to any other person.

## SECTION 387. UNLAWFUL TO KEEP, ETC., POOL ROOMS, ETC.

It shall be unlawful for any person to conduct, keep, carry on, or maintain by himself or his agents or employees, any turf exchange, pool room, or other place, by whatever name known, where bets or wagers on the result of any horse race wherever run, or of any contest of skill or endurance of men or animals, wherever made or had, are, or may be made, received or paid.

## SECTION 388. UNLAWFUL TO MAINTAIN, ETC., GAMBLING DEVICES.

It shall be unlawful for any person, either as owner, lessee, agent, employee, mortgagee, or otherwise, to operate, keep, maintain, rent, exhibit, display, use or conduct within the limits of Park City any clock, tape, slot, trades or card machine, or any other machine, punch board, gift board, contrivance or device upon which money is played, paid, staked or hazarded upon chance, or into which money is paid, deposited or played upon chance, or upon the result of the action, playing and/or use of which, money or any commodity or merchandise or any other article or thing of value is played, paid, staked, bet, hazarded, won or lost upon chance, and/or any clock, tape, slot, trades or card machine, or other machine, punch board, gift board, contrivance or device designed to allow or permit money to be staked, played, paid or hazarded upon chance or designed to permit or allow money to be paid, deposited, played, staked or hazarded into it upon chance or designed to permit or allow as the result of its action, play or use, money or any commodity or merchandise, or any other article or thing of value to be staked, paid, played, bet, hazarded, won or lost upon chance.

## SECTION 389. UNLAWFUL TO MAINTAIN, ETC., SLOT MACHINES.

It shall be unlawful for any person, either as owner, lessee, agent, employee, mortgagee or otherwise, to operate, keep, maintain, rent, use or conduct within the city of Park City, any machine, contrivance, appliance or mechanical device, upon the result of the action of which money or any commodity, merchandise or other valuable thing is staked or hazarded, and which is operated or played by placing or depositing therein any coins, substitutes for coins, checks, slugs, balls, or other article or device, or in any other manner and by means of the action whereof, or as a result of the operation of which, any merchandise, money, or article of value, check, or token redeemable in, or exchangeable for money, or any other thing of value or article representin value is won or lost, or taken from or obtained from such machine, when the result of the action or operation of such machine, contrivance, appliance, or mechanical device is dependent upon hazard or chance.

## SECTION 390. EXPOSING CARDS, DICE, ETC., IN LOCKED ROOM.

It shall be unlawful for any person within the limits of Park City to exhibit or expose to view in any locked, barred or barricaded house or room, or in any other place build or protected in a manner to make it difficult of access or ingress to police officers, or in any place supplied with what is commonly known as a lookout or equipped with signal or alarm devices, electric buzzers, or any device or agency capable of being used, or used as a means of giving warning of the presence or approach of police officers, where and when three or more persons are present, any cards, dice, dominoes, fan-tan table, implements or device whatsoever, any race track sheet, book-making paraphrenalia, racing chart or any records, sheets, books, charts or lists showing or purporting to show the names of horses or other animals racing or purported to race at any race track or race course, and (or) the odds on or purported to be on any horse or other animals for any race or purported race.

## SECTION 391. RESORTING TO LOCKED ROOM WHERE CARDS, DICE, ETC., EXPOSED.

It shall be unlawful for any person within the limits of Park City, to visit, frequent, or resort to any such locked, barred or barricaded house or room, or other place built or protected in a manner to make it difficult of access or ingress to police officers, or any place supplied with what is commonly known as a lookout or equipped with signal or alarm devices, electric buzzers or any device or agency capable of being used, or used as a means of giving warning of the presence or approach of police officers, when any cards, dice, dominoes, fan-tan table or layout, or any gambling table, implement or device whatsoever, or any race track sheet, book-making paraphernalia, racing chart or any records, sheets, books, charts or lists showing or purporting to show the names of horses or other animals racing or purported to race at any race track or race course and (or) the odds on or purported to be on any horse or other animal for any race or purported race, are exhibited or exposed to view, where and when three or more persons are present.

## SECTION 392. UNLAWFUL TO PLAY FAN-TAN OR SIMILAR GAMES.

It shall be unlawful for any person to play, stake, wager or pay any money, property or thing of value on the games commonly known as "fan-tan" or any similar game or games played with beans, buttons, coins or similar material, scheme or device, either as owner, operator, agent or employee.

## SECTION 393. CONDUCTING LOTTERY PROHIBITED.

It shall be unlawful for any person, either as owner, lessee, agent, employee, mortgagee or otherwise, to propose, contrive, set up, open, operate, maintain, conduct, hold, draw or carry on within the limits of Park City, any lottery, gift enterprise, raffle or similar scheme, by whatever name the same may be known, for the disposal or distribution of property, money or other valuable things, in whole or in part, by lot or chance, among persons who have paid any money or given anything of value or performed any service, or who have agreed to pay any money or to give anything of value or to perform any service for the chance, privilege, or opportunity of obtaining such property, money or other valuable thing, or a portion of it, or for any share or interest therein, upon any agreement, understanding, promise or expectation that it is to be distributed or disposed of in whole or in part by lot or chance among such persons.

## SECTION 394. DISPOSAL OF LOTTERY TICKETS PROHIBITED.

It shall be unlawful for any person in Park City to sell, give away or in any manner whatever dispose of, furnish or transfer to or for a ny other person, any ticket, chance, share or interest, or any paper, certificate, coupon or instrument purporting or understood to be, or to represent any ticket, chance, share, number or interest in or depending upon the event of any lottery, gift enterprise, raffle or similar scheme, as defined in section 393, of this chapter.

## SECTION 395. UNLAWFUL TO AID OR ASSIST IN LOTTERY.

It shall be unlawful for any person in Park City to aid or assist, either by printing, writing, advertising, publishing, distributing or otherwise, in setting up, managing, conducting, or drawing, any lottery, gift enterprise, raffle or similar scheme, as defined in section 393 of this chapter, or to aid or assist in selling or disposing of any ticket, paper, certificate, chance or share therein, in whatever form the same may be made.

## SECTION 396. UNLAWFUL TO KEEP OFFICE IN AID OF LOTTERY.

It shall be unlawful for any person in Park City, to open, set up, conduct or keep by himself or by any other person, any office or other place for the sale or other disposal of, or for registering the number of any ticket in any lottery, gift enterprise, raffle, or similar scheme, as defined in section 393 of this chapter, or by printing, writing, announcement or otherwise, to advertise or publish the setting up, opening or using of any such office.

## SECTION 397. USE OR ROOM FOR LOTTERY PROHIBITED.

It shall be unlawful for any person in Park City to let or permit to be used, any room, building or other place, or any portion thereof, knowing that it is to be used for setting up, managing, conducting, advertising, or drawing any lottery, gift enterprise, raffle or other similar scheme, as defined in section 393 of this chapter, or for the purpose of selling or otherwise disposing of lottery tickets, coupons, numbers, certificates or other tokens entitling the holder, either for himself or another, to participate in such drawing or other distribution or disposal of property.

## SECTION 398. THAT TESTIMONY INCRIMINATES NO EXCUSE.

No person shall be excused from attending and testifying, or from producing books, papers and documents before any court having jurisdiction of the offenses defined in this chapter, upon the ground, or for the reason that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture. But no person shall be prosecuted or subjected to any penalty or forfeiture on account of any prosecution matter or thing concerning which he may produce evidence, documentary or otherwise, before any court as aforesaid.

## SECTION 399.

It shall be unlawful for any person to engage in pool selling, or book making with or without writing at any time or place; or for any person to keep or occupy any room, shed, tenement, tent, vehicle, booth or building, flat or vessel or any part thereof, or to occupy any street, any place, vehicle, or stand of any kind upon any public or private grounds within the corporate limits of Park City with or without books, papers, apparatus or paraphernalia for the purpose of recording, receiving, reporting or registering bets or wagers or purported or pretended bets or wagers

or to sell pools or to make books with or without writing upon the result of trial or contest of skill, speed or power of endurance of man or beast, or upon the results of lots, chance, casualty, unknown or contingent event whatsoever, and it shall be unlawful for any person to receive, register, report or forward in any manner whatsoever any money, thing or consideration of value, bet or wagered; or to sell pools upon such result or pretended or purported result; and it shall be unlawful for any person to conduct, keep, carry on or maintain by himself or his agents or employees, and (or) for any person to loiter about, resort to or frequent any turf exchange, pool room or other place by whatever name known where bets or wagers or pretended bets or wagers on the result of any horse race or purported horse race wherever run or contest or purported contest of skill, or of endurance of men or animals wherever made or have been made, received, or paid, and it shall be unlawful for the owner or lessee or occupant of any said place or vehicle to knowingly permit any part of the premises or vehicle to be used for the purpose of conducting any turf exchange, pool room or other place for the purpose of receiving bets on the result of any horse race or pretended or purported horse race or on the result of any contest or purported contest of skill or endurance of men or animals.

#### CHAPTER XXX

#### HAND BILLS.

##### SECTION 400. LICENSE REQUIRED TO DISTRIBUTE HAND BILLS, ETC.

It shall be unlawful for any person, firm or corporation not duly licensed to carry on their respective trade or business in this city, to in any manner distribute, or in any manner, hire, order, direct, or cause the distribution of any circular, hand bill, poster, newspaper or part of any newspaper which is used as an advertisement or which displays as advertisement, or any other advertisement whatever within the corporate limits of this city, without first obtaining a license thereof; provided, that the city council may grant permission therefor without a license to any charitable, religious or benevolent organization.

##### SECTION 401. AMOUNT.

A license to pass hand bills, circulars, posters and other advertisements may be issued upon the payment in advance of the sum of \$6.50 for a period of six months or any part thereof, or upon the payment in advance of \$10.00 per year.

##### SECTION 402. PENALTY.

Any person violating the terms of this chapter shall be guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding fifty dollars, or by imprisonment in the city or county jail for a period of not exceeding thirty days, or by both such fine and imprisonment.

## CHAPTER XXXI

## INTOXICATING LIQUORS

## SECTION 403. DEFINITION.

The term intoxicating liquor, as used in this chapter, shall be construed to embrace all fermented malt, vinous or spirituous liquors, wine, porter, alcohol, ale, beer, absinthe or any and all malt and brewed drinks, and all liquid mixtures or preparations, whether patented or not, which will produce intoxication, and all beverages containing excess of 3.2 per centum of alcohol by volume; provided, however, that nothing in this section or chapter shall prevent the manufacture of wood or denatured alcohol under the rules established by the governor of the state of Utah, and in compliance with the formulas and rules of the United States; or the manufacture, importation, exportation, storage or sale of pure alcohol for scientific and manufacturing purposes, or to prevent the importation of wines for sacramental purposes only, by religious bodies, in the same manner as provided by law for the importation of alcohol by warehouse managers.

## SECTION 404. UNLAWFUL TO POSSESS, ETC. INTOXICATING LIQUORS.

That, except as provided by law, the possession, manufacture, sale, keeping or storing for sale, offering for sale or exposing for sale, importing, carrying, transporting, advertising, distributing, giving away, exchanging, dispensing or serving intoxicating liquors within the corporate limits of this city, is hereby forbidden and declared unlawful.

## SECTION 405. SAME.

Except as provided by law, it shall be unlawful for any person within the corporate limits of this city, to knowingly have in his possession any intoxicating liquor, or to manufacture, sell, keep or store for sale, offer or expose for sale, import, carry, transport, advertise, distribute, give away, exchange, dispense or serve any intoxicating liquor.

## SECTION 406. UNLAWFUL FOR ANY PERSON TO BE DRUNK.

It shall be unlawful for any person to be drunk or intoxicated in any street, or alley, or public place, restaurant, hotel, lobby or parlor, or in or upon any vehicle, or in or about any depot platform, waiting station or room, or any public gathering within the corporate limits of this city.

## SECTION 407. SEARCH AND SEIZURE. DUTIES OF OFFICERS. REPORT TO BE MADE.

If any city officer or other person has probable cause to believe that liquors are manufactured, sold, bartered, given away or otherwise furnished in violation of this chapter, or kept for the purpose of selling, bartering or giving away, or otherwise furnishing in violation of law, it shall be the duty of any such officer or person, forthwith to

make and file with justice of the peace, written information supported by his oath or affirmation that he has information of and reason to believe, that this ordinance is being violated at a certain place, stating the facts within his knowledge and upon which he bases his belief; and he shall describe as particularly as may be, the place and the name of the persons, if known, participating in such unlawful act.

The justice of the peace, upon finding probable cause to believe that the facts stated in such information are true, shall issue a search warrant directed to any peace officer in this city whom the complaint may designate, describing as particularly as may be, the liquors, and the place described in said information, and the person named or described in said information as to the owners or keepers of said place; and on finding liquors in unlawful possession or use, to arrest persons found therein and bring them before said court; and seize the said liquors with the vessels containing them and all the implements, furniture and fixtures used or kept for such illegal acts, and keep the same securely until final action be had thereon.

Whereupon the said officer to whom such warrant shall be delivered, shall forthwith obey and execute as effectively as possible the commands of said warrant, and make return promptly of his doings to said justice, with an itemized inventory of all liquors and property or things seized; and also a list of all persons in whose possession the same were found, and if no person be found in possession of said liquors or property, his return shall so state; and said officer shall securely keep all liquors and other things so seized by him until final action is had thereon. A copy of said warrant shall be served upon the person or persons found in the possession of any such liquors, furniture or fixtures so seized, and if no person be found in possession thereof, a copy of said warrant shall be posted in a conspicuous place on the building or room wherein the same are found. If admission to such building or room is refused, the officer directed to serve the warrant is hereby authorized and required to force open the same. If fluids are poured out, or otherwise destroyed, by any tenant, assistant, or other person, when the premises are searched or about to be searched, apparently for the purpose of preventing their seizure, said fluids shall be held to be prima facie intoxicating liquors, and intended for unlawful use, sale, barter, exchange or giving away.

Any peace officer who shall make a seizure of liquors or any other property under the provisions of this chapter shall forthwith report in writing on forms supplied by the attorney general, such act, together with detailed information as to the property seized and persons arrested with the address of the place from which said property was seized, to the prosecuting attorney of the city, and also to the attorney general.

#### SECTION 408. SEIZED PROPERTY NOT RELEASED, ETC.

When any liquor, vessels, property or things shall have been seized by virtue of any such warrant, the same shall not be discharged or returned to any person claiming the same by reason of any alleged insufficiency of description in the warrant, of the liquor, property or place, nor by writ of replevin or claim and delivery or any other process; but the claimant shall only have the right to be heard on the merits of the

case; and final judgment of conviction in such proceedings shall in all cases be a bar to all suits for the recovery of any liquors or other things seized, or of the value of the same or for damages alleged to arise by the seizing and detention thereof.

SECTION 409. ARREST AND SEIZURE WITHOUT WARRANT. PROPERTY HELD AS IN OTHER CASES.

When a violation of any of the provisions of this chapter shall occur in the presence of any marshal or any other peace officer of this city, or other officer having power to serve criminal process, it shall be the duty of such officer without warrant to arrest the offender and seize the intoxicating liquors, vessels and other property so unlawfully used, and to take such offender or offenders immediately before the justice of the peace and there make complaint under such oath charging the offense committed, and he shall make return, setting forth a particular description of the liquors, vessels and other property seized and at the place where the same were seized; whereupon the justice of the peace shall issue a warrant commanding and directing the officer to hold the property so seized in his possession until discharged by due process of law.

SECTION 410. HAVING LIQUOR IN POSSESSION.

If any peace officer shall have probable cause to believe any person has on, or about his person, in any kind of receptacle or in any vehicle under his control, liquors in any quantity, in violation of any of the provisions of this chapter, such peace officer shall have authority, to examine such vehicle and receptacles and the contents thereof, and the finding of any liquor in the possession of any such person, or under his control, not bearing a permit of the justice of the peace, or a tag or label of the attorney general shall be prima facie evidence that such liquors were kept for an unlawful purpose and such person shall be forthwith arrested by such officer.

SECTION 411. OFFICERS TO ENFORCE PROVISIONS. PERSONS TO RENDER ASSISTANCE.

The mayor, city attorney, justice of the peace, city marshal, and all peace officers of the city shall diligently enforce the provisions of this chapter and for the purpose of enforcing this chapter, all peace officers shall have access, ingress and egress to and from all places of business, factories, farms, buildings, carriages and cars, used in the manufacture, storage, transportation, or sale of any liquors, alcoholic essences, extracts, medicines, or other such preparations, ciders or other beverages, and also in restaurants, dining halls, cafes, places of public resort, hotels and all rooms thereof and all other places where beverages are prepared, stored or served. They shall also have power and authority to open any package, can or vessel containing or supposed to contain any article manufactured, sold or exposed for sale, or held in possession with intent to sell, in violation of the provisions of this chapter, and may inspect the contents thereof, and take samples therefrom for analysis. All dealers, clerks, carriers, bookkeepers, express agents, railroad officials, employees, or common carriers shall render to them all the assistance in their power, when so requested, in tracing, finding or discovering the presence

of any article prohibited by law, and securing samples thereof as herein provided for. Any refusal or neglect on the part of such dealers, clerks, bookkeepers, express agents, railroad officials, employees or common carriers to render such aid or to furnish such samples for analysis, as provided for in this section shall be deemed guilty of a misdemeanor.

SECTION 412. ACCOMPLICES. EXCEPTIONS AS TO AGENTS OF AUTHORITIES.  
NONE EXCUSED FROM TESTIFYING.

Any person who shall aid, abet, counsel or procure an unlawful sale, unlawful gift, or other unlawful disposition of liquors, or shall act as agent or assisting an agent of the seller in procuring or effecting the unlawful sale or purchase of any liquors, shall be guilty of a misdemeanor. Nothing in this chapter shall be construed as prohibiting any person from purchasing liquors apparently contrary to the provisions of this chapter when acting as the agent of the authorities charged with the enforcement of this chapter in the detection and conviction of violators of said laws.

SECTION 413. REVOCATION OF LICENSES.

If any keeper of a hotel, boarding house, pool room, billiard room, bowling alley, store, drug store or other place requiring any license or any employee within his knowledge, consent, connivance or acquiescence, shall keep, store, dispense or use, contrary to the provisions of this chapter, any liquors, in addition to the penalties prescribed for the violations of this chapter, the license of such place shall be revoked for one year for the first offense, and for the second offense no such license shall be granted at the same place or to the person convicted for a period of two years; provided, that where the place is run under a lease by a person or persons other than the true owner of the building, nothing shall operate to prohibit the issuance of a license to a new lessee who was not in any way connected as an employee or otherwise with the former business conducted therein at the time of the revocation of the license.

SECTION 414. PERSONS MAY BE COMPELLED TO DISCLOSE EVIDENCE.

Any person shall be compellable in any proceeding had under this chapter to disclose from whom or from what place he or others have received liquors. For failure or refusal to make such disclosure, if the city justice of the peace in such proceedings shall be satisfied that such person knows the facts demanded to be disclosed, he shall be guilty of contempt and shall be fined not less than five dollars, nor more than fifty dollars, or shall be committed to the jail for a period not exceeding thirty days.

SECTION 415. INQUISITIONS. REFUSAL OR DISOBEDIENCE PUNISHED.

If the city attorney shall be notified by any officer or other person or shall have knowledge of any violation of any provisions of this chapter, it shall be his duty forthwith to inquire into the facts of such violation and he shall make and file with the city justice of the peace, a statement setting forth that he has probable cause to believe that this chapter has been or is being violated, and that certain persons, naming them, having information concerning, or knowledge of such violation, and

upon the filing of such statement or upon the filing by any citizen of an affidavit containing the same information, it shall be the duty of the justice of the peace to issue subpoenas for the persons named in such statement or affidavit, requiring them to appear, to testify and produce any books, papers or things that will aid or assist in the prosecution of such investigation concerning any violation of the provisions of this chapter. Such subpoenas may be served by any person designated by the complaint or by the justice of the peace and shall be served and returned in the same manner as in ordinary criminal cases.

When such witness or witnesses shall appear before the justice of the peace, they shall be sworn to make true answers to all questions propounded to them touching the matters under investigation, and the testimony of each witness shall be reduced to writing by the court or under his direction, and shall be signed in ink by the witness. Any disobedience to the subpoena of the court, or any refusal to be sworn as a witness, or to sign the testimony given by him, or any refusal to answer any proper questions propounded by the prosecuting attorney or by the court in such inquiry, or any disclosure of any evidence so taken or of any names of witnesses, except when lawfully required to testify as a witness in relation thereto, shall be a misdemeanor.

SECTION 416. PENALTY.

Any person convicted of violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and shall be punished by a fine of not less than fifty dollars nor more than \$299.00, or by imprisonment in the city or county jail not exceeding six months, or by both such fine and imprisonment. The court may in imposing a fine enter as part of the judgment that in default of the payment of the fine the defendant may be imprisoned in the city or county jail for a period not exceeding six months.

CHAPTER XXXII

JUSTICE OF THE PEACE.

SECTION 417. DUTIES.

The city justice of the peace shall keep his office at such place as the city council may from time to time direct. He shall perform the duties required of him by the ordinances of the city and the general law. He shall report monthly to the city council at its first regular meeting each month, showing the total number of cases brought before him on behalf of the city during the previous month, the amount of fines levied, and the amount collected. He shall keep an accurate and complete docket of all cases filed in the Justice Court.

SECTION 418. MONEYS.

He shall pay all moneys belonging to the city received by him, for fines or otherwise, into the city treasury on or before the second Monday in each and every month, taking the treasurer's receipt therefor.

SECTION 418. VACANCY. DISQUALIFICATION. SALARY.

If a vacancy shall occur in the office of the city justice, the mayor, by and with the consent of the city council, shall forthwith fill such vacancy by appointment for the unexpired term. The person so appointed shall qualify in the same manner as a city justice and shall have and exercise all the powers conferred by law upon the city justice. In case any city justice shall for any reason be unable or disqualified to perform, the duties of this office, or shall be absent, the mayor shall appoint some other justice of the peace residing within the county to act as justice of the peace pro tem, and he shall have powers and discharge the duties of such city justice during the existence of such disability or absence in the same manner and to the same extent as the city justice might have done. The city justice shall receive such salary for his services while exercising jurisdiction under the ordinances and by laws of the city as may be prescribed by ordinance.

## CHAPTER XXXII

## SECTION 420. UNLAWFUL TO TRANSACT BUSINESS WITHOUT A LICENSE.

It shall be unlawful for any person to engage in or carry on any business, trade, profession or calling, within Park City, for the transaction or carrying on of which a license is required, without first taking out or procuring a license required for such business, trade, profession or calling.

## SECTION 421. DUTIES OF POLICE OFFICERS.

It shall be the duty of all police officers, in addition to their several duties as police officers to examine all places of business, persons, and vehicles on their respective beats liable to pay a license, and to see that such licenses are taken out, and that no other business than the one described in and covered by the license is carried on or transacted, and to report to the License Committee of the City Council the names of all such doing business without a license immediately upon the fact coming to their knowledge.

It shall be the further duty of the police officers of Park City to file a complaint against all persons carrying on or transacting any business, trade, profession or calling within Park City, of which a license is required, when a license is not procured first as required by law. Provided, however, this provision shall not be construed to prevent any other person from filing a complaint against such violators of the license ordinance of Park City, Utah.

## SECTION 422. LICENSES TO BE PAID IN ADVANCE, APPLICATION, HOW ISSUED, RECORD.

All applications for licenses specified in this chapter shall be made in Writing to the city recorder, and the amount, as hereinafter provided, shall be paid in advance to the city treasurer. All licenses shall be issued by the recorder, and signed by the Mayor and City Recorder and attested under the seal of the city. The recorder shall keep an alphabetical list of licenses issued, stating the number, name of applicant, place and kind of business and the amount paid, with such remarks as may be considered necessary.

## SECTION 423. WHAT LICENSE SHALL CONTAIN. ASSIGNMENT.

Every such license shall specify the name the person, firm, or corporation to whom issued, and shall designate the particular place at which the business shall be carried on. No license granted or issued under the provisions of this chapter, or otherwise, shall be in any manner assignable or transferable, or authorize any person other than is mentioned therein, to do business, or authorize any other business than is therein mentioned or named to be done or transacted at any other place than is therein mentioned or named unless by permission of the City Council.

Provided further that the license shall contain the class of license when such licenses are divided in to classes.

## SECTION 424. NO REBATE ALLOWED. EXCEPTIONS.

No rebate shall be allowed upon any license unless the licensee has been damaged by unavoidable accident or condition; or except in case of affliction or poverty. In all such cases, the city council shall have discretionary power as to what, if any, amount shall be rebated.

## SECTION 425. EVIDENCE OF LIABILITY TO PAY LICENSE.

In any action brought under, or arising out of the provisions of this chapter, the fact that a person represented himself as engaged in any business or calling, for the transaction of which a license is by ordinance required, or that such person exhibited a sign indicating such business or calling, shall be prima facie evidence of the liability of such person to pay for a license.

## SECTION 426. FREE LICENSE. WHEN MAY BE GIVEN.

If any person shall furnish such evidence, as shall satisfy the city council, that he by reason of misfortune or physical infirmities, merits exemption from the payment of any license herein required, the mayor may remit such license upon the recommendation of the city council.

## SECTION 427. PERIOD OF ISSUANCE.

Every license provided for in this chapter may be issued for a period of three months or any multiple thereof, but no license, unless otherwise provided for, shall be issued for a shorter period than three months or a longer period than one year; but no license shall extend for more than one year from the date it is issued.

## SECTION 428. LICENSES TO BE POSTED.

Every person granted a license shall receive a certificate of license. Every certificate of license issued shall be posted by the licensee in a conspicuous place upon the wall of the building, room, or office of the store or place in which such license business, calling, trade or profession is carried on, so that the same may be easily seen, and when such certificate of license shall have expired it shall be removed by the licensee from such place in which it has been posted, and no certificate of license which is not in force and effect shall be permitted to remain posted upon the wall or any part of any room, store, office or place of business after the period of such certificate of license has expired. It shall be the duty of each and every person to whom a certificate of license has been issued to show the same at any proper time when requested to do so by any police officer or member of the city council.

## SECTION 429. CIVIL ACTIONS.

In all cases where by ordinance of this city it is provided that a license from this city shall be obtained to carry on or engage in any business, occupation or calling within this city, and the amount to be paid for such license is fixed by such ordinance, and said amount shall not have been paid at the time, or in the manner in said ordinance provided,

a civil action may be brought in the name of Park City, against the person failing to pay such license, in any court of this state having jurisdiction of such action, to recover the amount of the same. And in any case where several or diverse amounts of license as fixed by such ordinance shall remain due and unpaid by any such person, such several amounts of unpaid licenses may be joined as separate causes of action in the same complaint in such civil actions.

Nothing in this section shall be construed to prevent or in any manner interfere with the enforcement of any penalty provision contained in any ordinance of this city.

#### SECTION 430. AUTO LIVERY.

It shall be unlawful for any person to engage in the business of keeping or conducting an automobile livery within the limits of Park City without first obtaining a license so to do. The license fee payable under this section shall be \$20.00 per year for each automobile so kept in such business; or \$5.00 per quarter year.

For the purpose of this section, an automobile livery shall be defined and deemed to be any place or establishment where one or more automobiles are kept for rent or public hire without or with a driver.

The keeper of an automobile livery shall apply for such license as provided by ordinance and in his application shall, under oath, make a statement of the number of automobiles to be kept by him, and upon filing of such application, licenses may be issued to him at the above rate.

#### SECTION 431. BANKERS, BROKERS, MONEY CHANGERS.

It shall be unlawful for any person to engage in the business of banker, factor or agent, broker, or money changer without first having obtained a license to do so. All applications for a license to do business as a banker, broker, or money changer shall state under oath the value or amount of capital employed. Upon the filing of such application and upon payment into the city treasury by persons seeking the right to do business as a banker the sum of \$62.00 per year license to do business shall issue.

The license to engage in the business of broker, agent or factor shall be \$32.00 yearly.

#### SECTION 432. BILLIARD OR POOL TABLES. TEN PIN ALLEYS.

It shall be unlawful for any person to engage in, conduct or carry on the business of keeping, or maintaining for public use or hire, any billiard table, pool table, or any pin or ball alley, or nine-pin alley, or ten-pin alley in or on which games are played, without first obtaining a license so to do:

All applications for license contemplated by this section shall state the number and kind of tables, pin or ball alleys, or nine or ten-pin alleys to be licensed, and the place of keeping the same. Upon the filing of such application and upon payment to the city treasury of \$20.00

per annum for each billiard or pool table and the sum of \$25.00 per annum for each pin or ball alley, or nine or ten pin alley, specified in said application a license may be issued as in this section and chapter provided.

SECTION 433. BILL POSTERS.

It shall be unlawful for any person to engage in or pursue the business of bill poster within Park City without first obtaining a license so to do.

The license tax required to be paid by bill posters shall be the sum of forty dollars, payable quarterly.

A bill poster is defined to be any person engaged in the business of advertising by posting, sticking, tacking, affixing, or painting bills or signs to or upon posts, fences, bill boards, advertising sign boards, buildings or other structures used in whole or in part for advertising purposes; but shall not be held to include any real estate sign advertising for sale or rent, the property upon which it stands, nor any advertisement or sign used to advertise any business conducted on the premises where such bill board or bulletin is located.

SECTION 434. NAME OF BILL POSTER TO BE ON BILL.

It shall be unlawful for any person to paste, stick, tack, affix or paint any bills or signs to or upon any posts, fences, bill boards, advertising sign boards, buildings or other structures used in whole or in part for advertising purposes, without placing on the lower right hand corner of any such bill or sign the name of the person pasting, sticking, tacking, affixing or painting such sign or bill.

SECTION 435. BOARDING HOUSE KEEPER. REGULATIONS.

Any person who shall rent rooms furnished or unfurnished and board the occupants of such rooms, or shall furnish board without room, shall be deemed a boarding house keeper, and said place a boarding house. Every boarding house keeper shall, with his application for a license, make a statement under oath, showing the location of the house, the number of rooms contained in such house, and the number of persons which such house will accommodate with rooms and board, and with board without rooms. The application for such license and said statement shall be filed with the city recorder of Park City, and be presented to the city council of said city at the next regular meeting. Such application shall by said council be referred to the chief of police of said city, who shall within five days after such reference, report to said board the general reputation of the keeper of said boarding house, and of the people who reside therein, or board there at, and whether or not said keeper or any one residing or boarding there has a United States government license or permit to sell or dispose of any kind of liquor at said place, and whether any spirituous, vinous, fermented or malt liquor is sold or kept for sale in said house or any place connected therewith, by the keeper thereof or any person residing therein, and whether or not said place is or has been conducted in a quiet, lawful and peaceable manner, and as to any other mat-

ters in regard to which said board should be informed, with the recommendation of said chief of police as to granting or denying such application for a license. Whereupon said city council shall act on said application in regard to granting or denying the same, as it shall deem just and proper. It is also hereby made the duty of the police department, after a license has been granted to keep a boarding house, to investigate and examine and inspect any place licensed as a boarding house in regard to matters heretofore stated, and if it shall appear from such investigation, examination and inspection that the general reputation of the keeper of such boarding house, or any one residing therein or boarding thereat, is bad, or that said house is not conducted in a quiet, lawful or peaceable manner, then said department shall at once report the facts in regard to said matters to the City Council of Park City, which council shall take such action in regard to the revocation of said boarding house license as it shall deem just and right.

The yearly license for boarding houses shall be as follows:

2 to 5 persons	\$3.50 per quarter	\$14.00 per year
5 to 10 "	5.00 " "	20.00 " "
10 to 15 "	7.50 " "	30.00 " "
15 to 20 "	10.00 " "	40.00 " "
20 or over	17.00 " "	50.00 " "

#### SECTION 436. BOXING CONTESTS--LICENSE--REGULATIONS.

It shall be unlawful for any person, firm, or incorporated club to engage in, give, promote, or operate boxing contests or similar athletic exhibitions without first obtaining a license so to do.

The license fee to be paid into the treasury of Park City for such license shall be \$5.00 for each performance.

#### SECTION 437. CARD ROOM LICENSES REQUIRED.

It shall be unlawful for any person to keep, maintain or operate in Park City any room where cards are played, or any table on which cards are played, where charge is made for the use of the room, use of the table, or for the privilege of playing on such table or in such room, without first obtaining a license.

#### SECTION 438. CARD CLUBS. LICENSE REQUIRED.

It shall be unlawful for any club, association or corporation to keep, maintain or operate for the use of its members or guests any room in Park City in which games of cards are played or any table on which games of cards are played without first obtaining a license so to do.

#### SECTION 439. DOORS NOT TO BE LOCKED OR BARRED.

It shall be unlawful for any person, licensed under the provisions of this chapter, to permit or allow in, on or at any licensed premises any game of cards to be played behind locked, barred, or barricaded room, or other place equipped in such manner as to make it difficult

of access or ingress to police officers, or to keep or maintain in, on, or at said licensed premises what is commonly known as a lookout, or any signal or alarm device, electric buzzer, or any device or agency capable of being used, or used, as a means of giving warning of the presence or approach of police officers.

SECTION 440. APPLICATION FOR CARD CLUB LICENSE.

Every applicant for such license shall make application therefor to the city recorder of Park City, and shall with his application file a statement under oath, showing the street and house number of the place where he proposes to keep, maintain, conduct or operate said card room or table, the name of the club, association or corporation, if any, under which, or for or by which he is operating, and the number of tables used or intended to be used in said place.

SECTION 441. CARD ROOMS--FEE.

The yearly license fee for conducting rooms or tables for the playing of cards shall be \$25.00 per month, or any part thereof, for one table; \$50.00 per year, or any part thereof, for two or more tables.

SECTION 442. UNLAWFUL TO PERMIT MINORS TO ENTER CARD CLUBS.

It shall be unlawful for any person, licensed under the provisions of this chapter, or the agent, manager, or representative of such licensee to permit or allow any person under the age of twenty-one years of age to enter, visit, frequent, or remain in any room where card tables are being operated, or where games of cards are being played, at said licensed premises.

SECTION 443. UNLAWFUL TO PERMIT KNOWN GAMBLER TO OPERATE GAME OR WORK IN CARD CLUBS.

It shall be unlawful for any person, licensed under the provisions of this chapter or the agent, manager or representative of such licensee, knowingly to employ, hire or suffer any known gambler to conduct any card game or to work in or about any card room or table at said licensed premises.

SECTION 444. UNLAWFUL TO PERMIT PLAYING ON SUNDAY.

It shall be unlawful for any person, licensed under the provisions of this chapter or the agent, manager or representative of such licensee, to suffer or permit the use of said card rooms or tables for the playing of cards, or for any person to play cards on any such table or in any such room, on the first day of the week, commonly called Sunday, or between the hours of twelve o'clock midnight and nine o'clock of any day.

SECTION 445. LICENSE MAY BE REVOKED.

The license of any person for the operation of card tables may be revoked by the city council of Park City at any time upon notice and hearing for violation of any ordinance of Park City or law of the state of Utah, or for any other good and sufficient reason.

## SECTION 446. CIRCUSES, MENAGERIES, WILD WEST SHOWS, DOG AND PONY SHOWS.

It shall be unlawful for any person, either as owner, agent, manager, employee, or performer, to open, carry on, exhibit, or take part in any circuses, menagerie, carnival, wild west show, dog and pony show, or performance of skilled or trained animals, or any side show connected with any such performance, unless a license for such exhibition or performance has first been secured and payment therefore made into the city treasury of Park City. Such license fee shall be as follows:

Not less than \$62.00 nor more than \$125.00 per day, to be determined by the city council of Park City, and said license shall include payment for license for all side shows connected with such performance.

## SECTION 447. COLLECTION AGENCY.

It shall be unlawful for any person to engage in the business or to conduct or operate a collection service, or to collect claims or bills as a business for hire, profit or upon percentage basis, within Park City without first procuring a license to do so.

All persons required to pay a license under the provisions of this ordinance shall pay to Park City annually in advance the sum of Twenty(\$20.00) Dollars for such license.

## SECTION 448. FRESH MEAT AND FISH DEALERS. SLAUGHTERERS.

It shall be unlawful for any person to engage in, conduct or carry on the business of slaughtering, slaughtering and selling, or selling fresh meat or meat food products at wholesale or retail, or selling fish or sea foods, manufacturing, or selling sausage or dressing or selling poultry or game, within the corporate limits of Park City, Utah, or to bring into or receive into the City of Park City or to offer for sale therein or to have on hand any fresh meat or meat food products or poultry or game which has been slaughtered outside of the corporate limits of Park City, without first making application for and procuring a permit and license so to do, as herein provided.

Any person desiring to engage in the business of slaughtering, slaughtering and selling, or selling fresh meat, or selling fish or sea foods, or manufacturing or selling sausage, poultry or game, within the corporate limits of Park City or desiring to engage in the business of slaughtering outside the corporate limits of Park City, where said slaughtered animals or poultry are intended for sale within the corporate limits of Park City, shall make written application to the city recorder; such application shall contain the name of the applicant, his residence address and the address of his proposed place of business, designated by street and number; such application shall at the time of its presentation be accompanied by a fee of five dollars, which shall be covered into the city treasury.

No license herein provided for shall be issued for a greater period than the calendar year in which it is issued. The license charge under the provisions of this section shall be payable in advance as follows:

Slaughtering, manufacturing, and wholesaling of fresh meat, meat food products, fish, poultry, sea food, per annum or any part thereof, \$62.00.

For retailing of fresh meat, meat food products, fish, poultry or sea food, per annum or any part thereof, \$62.00.

Sausage manufacturers, \$62.00 annually.

Nothing in this ordinance shall be construed to allow the peddling of fresh meat, fish or sea food or poultry within the corporate limits of Park City, Utah.

#### SECTION 449. HAWKERS.

Any person, agent, servant, or employee of any person, selling or offering for sale any article or thing, except newspapers, from a stand, wagon, doorway, tent or other temporary structure, or place in or abutting upon any street or alley, or in or upon any public or open ground, or any person who shall make public outcry or speech, or blow horns, whistle, ring bells or make any other noise, or give any musical or other entertainment to attract notice or custom to his wares, wherever the same may be sold, shall be deemed a hawker for the purposes of this ordinance.

The license fee for carrying on the business of hawker in Park City shall be the sum of \$5.00 per day for each day such business is carried on, payable in advance, and it shall be unlawful for any hawker to carry on such business in Park City without first having obtained a license so to do.

#### SECTION. 450. VENDORS IN PUBLIC MARKET.

Nothing in this ordinance contained shall be construed as requiring a license hereunder from vendors in the public markets established in Park City by and under authority of the ordinances of said city.

#### SECTION 451. VIOLATION SEPARATE OFFENSE FOR EACH DAY.

Every day's continuance of a violation of any of the provisions of sections 448, 449, and 450, shall be deemed a separate and distinct offense.

#### SECTION 452. JUNK COLLECTORS.

It shall be unlawful for any person to engage in or pursue the business of junk collector in Park City without first obtaining a license so to do.

The license fee payable under this section shall be \$20.00 per year, and \$5.00 per quarter.

A junk collector is defined to be any person not having a fixed place of business in Park City, who goes from house to house or place to place gathering, collecting, buying, selling or otherwise dealing in old rags, sacks, bottles, cans, papers, metal or other articles commonly known as junk.

The license fee for junk collectors shall be the same for any part of a year as for a full year, except that licenses may be issued after the first day of July for the unexpired portion of the year upon payment of half of the full yearly rate herein required.

SECTION 453. JUNK DEALER.

Any person engaged in buying and selling old metals, glass, rags, rubber, paper or other junk from a fixed place of business is defined as a junk dealer.

It shall be unlawful for any person to engage in or carry on the business of junk dealer without first obtaining a license so to do. The license fee payable under this section shall be \$20.00 per year.

SECTION 454. MERCHANDISE BROKER. FEE.

It shall be unlawful for any person to engage in or pursue the business of merchandise broker in Park City without first obtaining a license so to do. A merchandise broker shall be construed to be any person, who for a commission or other compensation, engages in the business of buying, selling or negotiating for the purchase or sale of meats, provisions, produce, hay, grain, goods, flour, lumber, wares, merchandise, drugs, medicines, jewelry, or precious metals.

The license tax under this section shall be \$62.00 per year.

SECTION 455. TRANSIENT MERCHANT TO HAVE LICENSE.

It shall be unlawful for any person, or for any agent, servant, or employee of any person to engage in, carry on or conduct the business of a transient merchant in Park City without first obtaining a license so to do. The sale of each article by any transient merchant without a license therefor shall be a separate offense under, and a separate violation, of this section.

SECTION 456. TRANSIENT MERCHANT DEFINED.

Any person or agent, servant or employee of any person, who shall exhibit, sell, or offer for sale at wholesale or retail, any goods, wares or merchandise in or from any hotel, rooming house, dwelling house, boarding house, store, storeroom, stall, tent, building, structure, stand, railroad car, motor vehicle, or other place in Park City, and who shall not occupy said place for the purpose of conducting a permanent business therein, shall be deemed a transient merchant for the purpose of this section; and the person so engaged shall not be relieved from the provisions of this chapter by reason of association temporarily with any local dealer,

trader, merchant or auctioneer or by conducting such temporary or transient business in connection with or as a part of or in the name of any local dealer, trader, merchant or auctioneer.

The provisions of this section shall not apply to sales of merchandise damaged by fire or smoke, or of bankrupt concerns, where such stocks have been acquired from merchants of Park City heretofore regularly in business, in which cases, however, such stocks of merchandise shall not be augmented by new goods, and shall not apply to commercial travelers or selling agents selling their goods to dealers according to ordinary business methods.

SECTION 457. FEE.

The license fee for engaging, in carrying on or conducting business as a transient merchant shall be the sum of \$62.00 per year payable in advance, or \$5.00 per day for each day such business shall continue.

SECTION 458. PENALTY.

Any person violating any of the terms of sections 455 and 456 of this chapter, shall, upon conviction thereof, be punished by a fine in a sum not exceeding \$299.00 or by imprisonment in the city jail for a period not longer than 180 days or by both such fine and imprisonment.

Every day's continuance of a violation of any of the provisions of sections 455 and 456 of this chapter, shall be deemed to be a separate and distinct offense.

SECTION 459. PAWNBROKERS.

It shall be unlawful for any person to carry on the business of a pawnbroker, or the business of loaning or advancing money, or check or draft for money on the deposit or pledge or bailment of personal property of any kind as security for such loan or advancement, or the business of loaning or advancing money or check or draft for money in any transaction or transactions in the form of a sale of personal property, wherein the personal property involved under agreement, is to be or may be repurchased by the vendor, pledgor, bailer or depositor within an agreed time upon the payment of an agreed sum, or any sum in excess of the real sum so loaned or advanced, or the business of loaning or advancing money or check or draft for money upon a chattel mortgage or mortgages on personal property where the personal property involved or any part of the same is taken into the custody or possession of the person advancing such money, or his agent or trustee (but not including the business defined as salary loan agencies) without previously having obtained a license so to do in accordance with the provisions hereinafter contained and set forth. A sign or advertisement indicating that a ny person is engaged in any of the above kinds of business shall be received as a prima facie evidence against such person that he is engaged in the business or pursuit therein advertised. Every person engaged in any business or pursuit above mentioned is hereby declared to be a pawnbroker and shall pay the same license fee and receive the same license as a pawnbroker, and shall be governed and bound by all ordinances and regulations governing pawnbrokers in so far as the same pertain to licenses and license fees.

Every person applying for a license as pawnbroker, shall before receiving such license, pay into the city treasury a license tax of \$62.00 per annum (no such license to be issued for a less period than six months), and shall, before receiving such license, execute and deliver a bond to the city in the sum of one thousand (\$1000.00) Dollars with corporate surety, conditioned for the faithful observance of all ordinances of the city respecting pawnbrokers, and the faithful observance of the regulations which are now, or may be, set out by the police department.

SECTION 460. OCCULISTS.

For an oculist who sells, mends, or takes orders for eye glasses from a store, place or from house to house, \$40.00 per year, payable quarterly.

SECTION 461. PUBLIC DANCE HALLS, DANCING SCHOOLS AND ROLLER SKATING RINKS.

The license to conduct or operate public dance halls shall be \$1.50 for each performance or dance held; provided, however, when dancing or other entertainment is permitted as additional entertainment in places of business, the proprietor of which has been granted a merchants license, then there shall be paid \$15.00 for each quarter in addition to the regular merchants license provided for herein.

That for running or operating a roller skating rink the license shall be \$5.00 per quarter.

That for running or conducting a dancing school the license shall be \$5.00 for each quarter.

SECTION 462. OWNER OF PUBLIC HALL SHALL PAY LICENSE.

If the owner or lessee of any hall or theatre with a seating capacity of 300 or over, where dramatic or operatic entertainments, or picture shows are given where the highest admission fee exceeds fifty cents, shall pay a license of \$125.00 per year; which sum shall exempt all others using the hall or theatre from the payment of any license.

If the owner or lessee of any hall or theatre, seating less than 300 pay a license of \$75.00 per year, this shall exempt all others using the said hall or theatre from payment of any license.

SECTION 463. PEDDLERS AND HAWKERS.

It shall be unlawful for any person to peddle or offer for sale, barter or exchange at retail, any garden or farm produce, fruits, butter, eggs, poultry, fish, game, or any other goods, wares or merchandise whatsoever, or any tickets, coupons or receipts representing value or redeemable in service, photographs, works of art, goods or merchandise whatsoever, in, upon or along any street of Park City without first obtaining a license to do so.

Licenses for peddling for the purposes and under the restrictions set forth may be issued upon the payment of the following sums per annum:

For a license to peddle vegetables, fruit, fruit, garden produce, butter, eggs, meat food products, \$20.00 per year or any part thereof.

For a license to peddle ice cream, \$20.00 per year, or \$5.00 per quarter.

For a license to peddle fruit, vegetables, farm or garden produce or baker's produce by hamper otherwise than by a push cart, stand or wagon, \$20.00 per year or \$5.00 per quarter.

For a license to peddle or sell coupons, tickets or receipts representing value or redeemable by any person to apply in part or in full payment on services, photographs, works of art, goods or merchandise of any kind whatsoever, for each person peddling, \$20.00 per year or \$5.00 per quarter.

For a license to peddle peanuts or popcorn, \$20.00 per year, or \$5.00 per quarter, for each wagon, stand or push cart so employed.

For a license to peddle dry goods, household appliances, wares and notions of any kind \$20.00 per year, or \$5.00 per quarter; but for the peddling of these articles last enumerated a license may be issued upon the payment of \$1.00 per day, if the applicant desires a license for a less period than six months.

It shall be unlawful for any person to mingle and sell the produce of another with his own, or to mingle and sell with his own produce any produce purchased from another, without procuring the license required for a produce vendor herein.

It shall be unlawful for any peddler or vendor licensed or registered under the provisions of this section, to ring a bell or gong, blow a whistle or make any other noise to attract custom, or in loud voice cry his wares for sale.

Only one person may peddle with each wagon, but each such peddler may be accompanied by one driver or attendant who shall not peddle.

Any person keeping produce, goods, wares and merchandise of any description at a private residence and soliciting trade therefor in person or by agents, or by telephone, and delivering the same, shall be deemed a peddler or produce vendor under the provisions of this section, and shall be required to procure a license therefor, and shall not operate under a merchant's license.

It shall be unlawful to peddle any medicine, nostrum or remedy of any character or description, and no license shall be issued for such purpose.

Nothing in this section contained shall be construed to permit the peddling of fresh or cured meat, except meat food products, and the peddling of the same is hereby forbidden.

No license shall issue for a term less than six months, except for a day rate as hereinbefore provided, except that when application therefor is made after the first day of July of any year, and such application is approved by the license assessor, the license shall issue for the unexpired portion of the year, and the licensee shall be required to pay only for such unexpired portion; provided however, that the license to peddle vegetables, fruit, garden produce, butter, eggs, poultry, fish and game shall be \$20.00 per year or any portion thereof.

SECTION 464. HAWKERS NOT ALLOWED AT SCHOOL BUILDINGS.

It shall be unlawful for any peddler to stand or station himself for the purpose of selling his wares or to sell or offer for sale any of his wares within four hundred sixty (460) feet of any public school property in Park City between the hours of 8 O'clock a.m. and 4 O'clock p.m. on all days when school is in session, or within three hundred feet of any public park or playground.

SECTION 465. PLUMBERS' LICENSE. BOND. AMOUNTS.

The yearly license for plumber shall be \$25.00 per year, and the license may be issued upon payment of said sum, and upon giving the bond in the sum of Ten thousand (\$10,000.00) Dollars, which bond shall contain a condition for the faithful observance of all ordinances, rules and regulations of this city relating to plumbing.

It shall be unlawful for any plumber to lay any service pipe connected or to be connected with the waterworks system or to do any kind of plumbing work unless he is licensed and gives bond as provided in this section.

SECTION 466. RESTAURANT DEFINED. LICENSE.

A restaurant keeper is hereby defined to be any person who shall, for any consideration, furnish food or tea, coffee, chocolate, cocoa, or other similar drinks in any quantity to be consumed upon the premises where sold, within the limits of Park City.

It shall be unlawful for any person to commence or carry on the business of restaurant keeper in Park City, without first obtaining a license to do so. Every person desiring a restaurant keeper's license shall make an application therefor to the city recorder, and shall, with his application, file a statement under oath showing the street and house number of the place where he proposes to carry on such business, and also stating the greatest number of persons such applicant can furnish with food, or drink as heretofore specified at one time in such place of business.

The yearly license fee for restaurants shall be at the rate of \$38.00 per year, for the maximum number of persons that can be accommodated at any one time; provided, however, that no license shall be issued for less than \$9.50 per quarter, nor for more than \$38.00 per year.

The door or doors of every restaurant shall be and remain unlocked and unfastened during all the time any person or persons, including the keeper, or any employee is therein, and during such time no orderly person shall be refused admission thereto.

SECTION 467. RESTAURANT BOOTHS.

It shall be unlawful for any person to keep, maintain, operate or conduct any restaurant which shall have within it or in any manner connected with it any room, booth, or stall having doors or curtains thereto; or room, booth, or stall in which the tables or chairs are not plainly visible at all times from the main floor of said restaurant; or any room, booth or stall which shall not be open to the full width on the side through which entrance to such room, or stall is gained; or any room, booth or stall that is not brightly illuminated at all times such room, booth or stall is occupied.

It shall be unlawful for any person to diminish or extinguish the lights in any room, booth or stall in any restaurant while said room, booth or stall is occupied; or to remain in such room, booth or stall unless the same is brightly illuminated.

SECTION 468. UNLAWFUL TO EMPLOY HELP UNDER 18 YEARS OF AGE AFTER NINE O'CLOCK P.M.

It shall be unlawful for any person licensed under the provisions of this chapter to employ any person under the age of eighteen years after the hour of nine o'clock p.m. of any day, or any female for a longer period than eight hours per day, or to permit any minor to visit his place of business after the hour of nine o'clock p.m. of any day, unless such minor is accompanied by parent or guardian.

SECTION 469. AMUSEMENTS TO CEASE AT TWELVE O'CLOCK P.M.

It shall be unlawful for the keeper, manager or person in charge of any restaurant or public dining room to permit any singing, dancing, playing of musical instruments, or any other form of amusement or entertainment to be carried on in said restaurant or public dining room, or in any room, booth or other place connected therewith on or after twelve o'clock and before six o'clock a.m. of the same day.

SECTION 470. LOUD OR BOISTEROUS ENTERTAINMENT FORBIDDEN.

It shall be unlawful for the keeper, manager or person in charge of any restaurant or public dining room to permit any loud or boisterous entertainment therein, or in any room, or booth or other place connected therewith, or to permit any person so to conduct himself or herself by work or act in such manners as to offend against good morals.

It shall be unlawful for any person in any restaurant or public dining room, or in any room, booth or other place connected therewith so to conduct himself or herself by word or act in such manner as to offend against good morals.

**SECTION 471. LICENSE MAY BE REVOKED.**

The license of any restaurant keeper may be revoked by the City Council of Park City at any time upon notice and hearing, for any violation of any ordinance of Park City, or law of the state of Utah.

**SECTION 472. ROOMING HOUSES.**

It shall be unlawful for any person to keep, conduct, operate or maintain any rooming house within the limits of Park City without first obtaining a license so to do.

**SECTION 473. LICENSE REQUIRED FOR SALE OF SOFT DRINKS.**

It shall be unlawful for any person to sell, give away or keep for sale any near beer, malt brews, cider or other similar beverages, or ginger ale, grape juice, soda water, root beer or any similar beverages commonly known as soft drinks within Park City, without first obtaining a license so to do.

**SECTION 474. FEES.**

(a) The license fee for places where near beer, malt brews, cider and other similar beverages, ginger ale, grape juice, soda water, rootbeer or similar beverages commonly known as soft drinks, are sold or dispensed, for consumption upon the premises by means of fountain, on draught or otherwise, shall be \$20.00 per year or \$5.00 per quarter.

(b) The license fee for places where ginger ale, grape juice, soda water, root beer, near beer or other similar beverages commonly known as soft drinks are sold or dispensed in the original bottles only, exclusive of the places mentioned in subdivision (a) of this section, shall be \$20.00 per year or \$5.00 per quarter.

This license fee shall be paid in addition to any other license fee which may be required to be paid.

**SECTION 475. APPLICATION FOR SOFT DRINK LICENSE.**

Every person desiring a license for the sale of soft drinks under the provisions of this chapter shall make application therefor to the City Recorder, and shall, with his application, file a statement showing the street and house number of the place where he proposes to carry on said business.

**SECTION 476. LICENSE NOT TRANSFERABLE.**

No license issued under the provisions of this chapter shall be transferred from one licensee to another, nor from the original location to another, without the consent of the City Council.

## SECTION 477.- UNLAWFUL TO SELL INTOXICANTS.

It shall be unlawful for any person licensed according to the provisions of this chapter, or for any person in the employ of such licensee at any time while conducting such business, to sell, offer for sale, or give away, any intoxicating liquor, or any soft drinks containing intoxicating liquor, or to mix, compound, add to, or in anywise adulterate such drinks with any intoxicating beverage liquid, or other substance of an intoxicating nature, so as to render the same intoxicating to any degree.

## SECTION 478. LICENSE MAY BE REVOKED.

Any license issued under the provisions of this chapter may be revoked by the City Council of Park City upon notice and hearing for violation of any of the ordinances of Park City, or law of the state of Utah.

## SECTION 479. STOCKBROKERS TO HAVE LICENSE.

It shall be unlawful for any person to engage in or conduct the business or act in the capacity of stockbroker within the limits of Park City, without first having obtained a license therefor as in this chapter provided.

Any person, who for a commission or other compensation, engages in, conducts or negotiates the buying and selling and offering for sale, or buying or selling or offering for sale of stocks, shares, securities or evidence of stocks of corporations or associations, or representatives of value, contracting in his or its own name or for, or as agent of another, or for or on account of another, shall be deemed a stockbroker and engaged in the business of stockbroker.

Any person engaged in said business of stockbroker, having an office and established place of business in Park City, shall obtain a license to carry on such business, and shall pay for such license the sum of \$38.00 per year or \$9.50 per quarter.

Any person engaging in said business of stockbroker not having an office and established place of business in Park City and every itinerant or traveling stockbroker or curb broker, having no office and established place of business in Park City shall pay for such license the sum of \$38.00 per year or \$9.50 per quarter.

## SECTION 480. FEE.

It shall be unlawful for any person to engage in or conduct the business of a stock exchange where stocks are sold on the floor of the exchange by stockbrokers who are members of said exchange, or by public display of stock quotations on a bulletin board or other similar device or by public call, or for conducting the business of a stockbroker where stocks are sold by means of a public display of stock quotations on a bulletin board or other similar device, or by public call, without first having obtained a license therefor as in this chapter provided. The license fee for conducting the business of such stock exchange or such stockbroker shall be \$38.00 per year or \$9.50 per quarter.

## SECTION 481. APPLICATION FOR LICENSE. INFORMATION REQUIRED, ETC.

Any person, applying for a license provided for in the two preceding sections shall file a written statement showing the residence of such person, the members composing such firm, and the nature of the interest of each, the officers of such corporation and where incorporated, and the managers of such stock exchange, and shall furnish the City Recorder information as to the character and integrity of such person, and of the officers and directors of such corporation or stock exchange.

When any stockbroker, as defined in section 479, shall promote the selling or buying of stocks of any corporation or association in Park City by means of advertisements, or through agents, or by general or public offering, accompanied by statements or inducements tending to enhance the value of such stock or to encourage the purchase thereof, such broker shall, at the time of making original application for license, or thereafter, and before advertising or promoting the sale of such stocks in the manner herein provided, file with the City Recorder a sworn statement relative to the location, character and value of the property which all such stocks represent, and the title of such corporation or association on said property; the extent to which such property has been developed, and describing the improvements thereon, whether the same is a producing property, and the output thereof, and what, if any, dividends have been paid by said corporation or association, and describing any encumbrances on said property; the number of shares of authorized capital stock of such corporation or association, the par value of each, the number of shares of promotion stock and to whom issued, and the number of shares of original treasury stock and the number remaining in the treasury, and the name of each corporation or association whose stock is so advertised for sale by such broker, and the officers of each, and shall file any and all prospectuses or circulars used or to be used in such promotion, and such other additional information relating to such stocks and the property which such stocks represent whenever the same is required by the City Recorder, provided, that this section shall not apply to advertisements which contain an offer to buy or sell a certain number of shares of a named stock at a given price, without inducements tending to enhance the price of such stock or encourage the purchase thereof, nor to offerings or sales on the floor of a licensed exchange in Park City by the owner of such stock, or by a member of such exchange, or to sales under order of court, or to stock quotation sheets.

If the City Recorder finds that any applicant has made false or misleading statements concerning the property which such stocks represent, or has falsely represented the character of such stocks, or if he finds such person to be an unfit or unsuitable person to conduct such business, he may refuse to issue such license, and shall thereupon refer such application to the City Council, together with his report showing upon what grounds such refusal is based, and his recommendation thereon. Upon receipt of such application and report from the City Recorder, said council shall act on such application in regard to granting or denying the same, as it shall deem just and proper.

## SECTION 482. LICENSE MAY BE REVOKED FOR CAUSE.

If it shall appear to the City Recorder that any person licensed under the terms of this chapter, is selling or offering for sale, or advertising any fictitious, fraudulent, fake or spurious stocks of any corporation or association, or is falsely representing or making misleading statements concerning the property which such stocks represent, while having the same for sale, or while offering or selling such stocks, or is violating any of the provisions of this chapter, he shall at once report to the City Council the particular facts in regard to such matters, or any of them, or any other matter in regard to which said council should be advised, together with his recommendation in regard to revoking such license, and said council, after notice to said licensee, and after hearing, if requested, shall take such action in regard to the revocation of such license as it may deem just and right.

## SECTION 483. STATEMENT TO BE FILED.

It shall be unlawful for any person while engaged in the business of stockbroker, as defined in section 479, to publish, circulate, distribute or in any manner cause to be published, circulated, or distributed, any advertisement, circular, handbill or other public offering respecting any shares of stock in any corporation or association which are held, offered, and advertised for sale by such person, without first having filed with the City Recorder the statement in the form and when required in section 481.

## SECTION 484. SUIT CLUBS.

It shall be unlawful for any person to engage in, carry on, conduct, operate or promote the business of a suit club, or to solicit membership in such suit club, without first having procured a license as in this section provided.

The words "suit club" as used herein shall be deemed to include any scheme for the distribution, disposal or presentation of clothing to one or more persons who have paid or agreed to pay, any sum of money, to or render services for; the promoter of such club for a membership therein, or for the right to participate in such distribution, disposal or presentation, upon the promise, understanding or expectation that such person is to receive a suit of clothes for less than the represented value thereof, or that such person is to receive such suit of clothes at any time before the full represented value thereof has been paid, or that such person is to receive such of clothes by virtue of having subscribed to such scheme, or because of membership in such suit club before the entire possible payments for such membership have been paid, whether the right to receive such suit is determined by priority of membership applications or subscriptions, by a numbering scheme, or by arbitrary selection from among those who have paid or agreed to pay or render a valuable consideration for membership or the right to participate in such distribution.

## SECTION 485. TAILORS.

It shall be unlawful for any person to engage in the business, occupation or vocation of a tailor in Park City, without first obtaining a license to do so. Every person applying for a license to engage in such business, occupation or vocation shall before receiving such license, pay into the city treasury, of Park City, a license of \$20.00 per annum.

A tailor is hereby defined as any person making clothing for men or women from materials carried in stock, or who takes order for such clothing from samples or otherwise, such clothing to be made by some other person, or who engages in or carries on the business of altering, pressing or repairing clothing for men or women.

Provided, that nothing in this section shall apply to any persons who pays a license to Park City.

## SECTION 486. MISCELLANEOUS LICENSE.

It shall be unlawful for any persons to engage in or pursue any business, vocation or calling hereinafter mentioned, without first obtaining a license so to do, and he shall (except where otherwise provided) make yearly payments into the city treasury, in advance, for such license as follows:

Auctioneers, per quarter-----	\$50.00
Building, loan, discount and investment institutions when outside capital is employed, per year-----	20.00
Dog and Pony show per day-----	32.00
Electrician, per year-----	10.00
Express Company, per year-----	32.00
Fruit and vegetable stands, per year-----	10.00
Hot Dog stands per year-----	10.00
Ice retailers or dealers, per year-----	10.00
Laundries, per year-----	38.00
Cleaners and dyers, per year-----	40.00
Milliners, per year-----	32.00
Milk distributors, per year-----	10.00
Plumber, per year-----	25.00
Photographers, or photograph gallery, per year-----	20.00
Root beer stands and other soft drink stands, per year-----	10.00
Real estate agents, per quarter-----	9.50
Restaurants, per year-----	38.00
Second hand dealers, per year-----	5.00
Shooting gallery-----	50.00
Solicitor of crayon, oil or other art productions, and enlarging of portraits or pictures, per year-----	20.00
Undertakers, per year-----	12.00

## SECTION 487. PENALTY, EXCEPT AS OTHERWISE PROVIDED.

Any person violating any of the provisions of this chapter not heretofore provided, shall, upon conviction thereof, be punished by a fine in any sum not exceeding \$50.00 or by imprisonment in the city jail for a period of not longer than ~~ninety~~ sixty days; provided, that nothing herein contained shall be construed to prevent Park City from recovering the amount of any license herein required to be paid in the civil action brought for such purpose, as provided by ordinance of this city.

## SECTION 488. REVOCATION OF LICENSES.

No license issued under the provisions of this chapter shall be revoked, nor any application for license under the provisions of this chapter be denied, except after notice to, and hearing of, the licensee or applicant.

If at any time a license under the provisions of this chapter is denied, or revoked, it shall thereafter be unlawful for any person to open, operate, maintain, manage or conduct any business, trade, profession or calling for the transaction or carrying on of which a license is required at the premises where the license is revoked, or the application for license denied, until a new license shall be granted by the City Council of Park City.

No person who has been denied a license or whose license has been revoked under the provisions of this chapter for a period of six months, and no person associated or connected with such person in the conduct of such business shall be granted a license under the provisions of this chapter for a period of six months after such denial or revocation has occurred.

## SECTION 489. BOARD OF EQUALIZATION. MEETINGS.

The City Council is hereby constituted a board of equalization for the equalization of license rates. Said board shall have the authority to examine the assessment rolls, to hear complaints of person aggrieved by their license assessments, and to make corrections of any such assessments deemed to be illegal, unequal or unjust. Provided, however, that any corrections made by said board shall be entered in detail in a record of license abatements and the members of said board shall approve in writing the said entries before the City Recorder is authorized to adjust the accounts. The first meeting shall be held not later than the second Monday in January in each year, and the said board shall continue in session from time to time until the business of equalization is disposed of, but not later than the second Monday of February of each year. The second meeting shall be held during the month of July of each year, commencing not later than the 5th day of July, and the said board shall continue in session until the business of equalizations is disposed of, but not later than the 31st day of July of the same year. All complaints relative to assessments made to the first day of January of each year must be presented to the said board within the period of the first meeting or be forever barred, and all complaints relating to assessments made subsequent to the 1st day of January must be presented to the said board within the period of the second meeting, or be forever barred.

## SECTION 490. WRESTLING MATCHES.

It shall be unlawful for any person to engage in, give, promote or operate any wrestling match or similar athletic exhibition without first obtaining a license so to do.

The license fee for operating a wrestling match or exhibition shall be \$5.00 for each performance, payable in advance.

## SECTION 491. AUTO TOURIST PARKS.

It shall be unlawful to keep, operate or maintain an automobile or tourist park for hire or otherwise without first making an application to the City Recorder and obtaining a license so to do.

For the purposes of this ordinance an automobile or tourist park shall be defined as a ground or space set apart for camping, sleeping or lodging either in tents, cabins, huts or other structures and where automobiles of the guests or tenants may be parked or stored in connection therewith.

Every tourist park applicant shall, with his application for license, make a statement under oath, showing the location of the park or place, the number of all rooms contained therein, and the number of rooms and their equivalent intents or otherwise rented, or to be rented for lodging or sleeping purposes. The application for such license and said statement shall be filed with the City Recorder of Park City and be presented to the City Council of Park City at its next regular meeting.

Every tourist park keeper shall keep a daily register of all guests or tenants which shall be available at all times for one year for inspection by the chief of police, or his representatives, and a true copy of all entries thereon shall be forwarded daily to the chief of police upon blanks furnished by him, and said register and true copies furnished the chief of police shall contain the following information:

Date and time of arrival, name, home address, town or city and state and next destination of all guests or tenants; if guests or tenants bring a motor vehicle to said park, the name, make and state license number of said motor vehicle.

The yearly license fee for said parks shall be the sum of \$38.00 per year, payable quarterly.

## SECTION 492. COAL DEALERS.

It shall be unlawful for any person to engage in business of a coal dealer without first obtaining a license so to do.

The term "coal dealer" for the purpose of this section shall be defined as any person who buys, sells and/or deals in, at wholesale or retail, coal, coke, or charcoal.

The application for a coal dealer's license shall state the full name, the location of the place of business or the residence of the applicant.

The license fee for engaging in the business of a coal dealer shall be \$20.00 per year, or any part thereof, which shall entitle the licensee to the use of one delivery vehicle in said business. Said license fee shall be in addition to any and all other license fees of any kind or nature imposed by the ordinances of Park City.

Every licensee hereunder shall deliver with each delivery of coal, coke or charcoal a delivery ticket and a duplicate thereof, on each of which shall be in ink or other indelible substance distinctly expressed in pounds the gross weight of the load, the tare weight of the delivery vehicle, and quantity or quantities of coal, coke or charcoal contained in the vehicle used in such deliveries, with the name of the purchaser thereof and the name of the dealer from whom purchased.

No license shall be transferable and no license shall authorize more than one firm, individual, corporation or partnership, named therein to operate thereunder, and no person shall be relieved of the provisions of this section by reason of association temporarily or otherwise with any local dealer or in the name of any local dealer.

#### SECTION 493. RETAIL SERVICE STATIONS.

It shall be unlawful for any person, association of persons, firm or corporation to manage, conduct, operate or carry on the business of a retail service station within the city limits of Park City without first having obtained a license therefor as hereinafter provided.

The term "retail service station" as used in this section, shall mean and include any place where lubricants, fuels and services are sold or are made available to and there delivered direct to motor vehicles for use or consumption therein.

Each person, association of persons, firm or corporation, having, operating or maintaining a retail service station within the limits of Park City during each calendar year, or any part thereof, shall pay to the city recorder the following fee:

For each retail service station maintaining or operating during any part of the year, two pumps or measuring devices, or less or none, for the delivery or measurement of any motor fuel, the sum of \$5.00 per quarter.

#### SECTION 494. SECOND HAND PRECIOUS METAL DEALERS.

It shall be unlawful for any person to engage in or carry on the business of a second hand precious metal dealer without first obtaining a license so to do. The license fee of a second hand precious metal dealer shall be \$1.50 per day.

Any person engaged in buying and selling old gold, silver, platinum or other precious metal, or second hand articles containing any of the same, is hereby declared to be a second hand precious metal dealer.

It shall be unlawful for any second hand precious metal dealer to fail to keep a substantial and well bound book, in which he shall enter at the time of purchase in the English language:

First a true and accurate description of every article purchased by him.

Second, the name, age, description and residence of the vendor.

Third, the amount paid.

Fourth, date and hour of purchase.

All entries shall be made with ink in a legible manner, and all records of second hand precious metal dealers shall be open to inspection by any police officer at any time.

It shall be unlawful for any second hand precious metal dealer to deliver to the person selling or delivering any of the property received by him as above set out, or to sell or otherwise dispose of any of such property for the period of fifteen days from the date of receiving the same, unless expressly permitted to dispose of such property by the police department prior thereto.

It shall be unlawful for any second hand precious metal dealer by himself, his agents or servants, to purchase or receive any personal property of or from any minor under the age of eighteen years.

#### SECTION 495. PHRENOLOGY.

It shall be unlawful for any person to practice the science, art or profession of phrenology without first making application and obtaining a license so to do and paying the license fee herein provided.

For the purpose of this section, the practice of phrenology shall be deemed to mean a purported analysis of the mental faculties or traits of character as found by an examination of the head of the patient or person examined.

The application for license, together with a statement under oath showing the location of the office, or place of business of the applicant, the length of time applicant has practiced phrenology, the name and description of school or nature of instructor under whom applicant received his training and instruction, and the length of time spent in such training and instruction, shall be filed with the city recorder.

The application for such license, together with the statement of the applicant, shall, by the city recorder, be forwarded to the health commissioner for inspection and report. The health commissioner shall inspect the premises and all paraphernalia used by the applicant in the practice of phrenology and shall inquire into the general reputation and character of the applicant. The health commissioner shall, within a reasonable time, upon receipt of such application, return the same, together with his recommendation as to the granting or denying of said license.

The license fee for practicing phrenology shall be the sum of \$25.00 per month for each office or place of business operated. In addition thereto, every client, patient or customer shall be furnished with a phrenologist's head chart, which chart shall be properly marked showing results of the analysis of the patient's head, together with character analysis in writing.

#### SECTION 496. TOBACCO.

It shall be unlawful for any person to sell, barter, peddle or offer for sale at wholesale or retail any cigars or tobaccos in any form within the corporate limits of Park City without first making application and procuring a license so to do and paying the license fees as herein provided. The application for such license, together with a statement under oath showing the location of the store, stand or other place of business, and setting out the value of the stock of cigars and tobaccos of applicant at the time of making the application, shall be filed with the city recorder of Park City and be presented to the City Council of Park City at its next regular meeting.

The yearly license fee for operating any store, stand or other place where cigars or tobaccos are sold shall be \$20.00 per year or \$5.00 per quarter.

#### SECTION 497. UNLAWFUL TO MISREPRESENT VALUE, ETC., OF STOCKS.

It shall be unlawful for any person in Park City to offer for sale at public auction or by public display of stock quotations or by advertisements, any fictitious, fraudulent, fake or spurious stocks of any corporation or association; and it shall also be unlawful in offering stocks of any corporation or association for sale at public auction or by public display of stock quotations or by advertisement, to falsely represent or to make misleading statements concerning the nature and value of stocks of any corporation or association, or to falsely represent or to make misleading statements concerning the title, character or value of the property of such corporation or association when offering or selling such stock.

## CHAPTER XXXIV

## MARSHAL.

## SECTION 498. SHALL BE EX-OFFICIO CHIEF OF POLICE.

The city marshall shall be ex-officio chief of police; he shall keep his office at such place as the city council may from time to time direct, and shall, under the council, direct and control the police of the city, and whenever the interests of the city demand, by and with the consent of the mayor, appoint such number of special police as may be required.

## SECTION 499. SHALL KEEP REGISTER OF ARRESTS.

He shall provide and cause to be kept at police headquarters a register of arrests upon which shall be entered a statement showing the date and hour of such arrests, by whom made, the name of the person arrested, the offense charged and a description of any property found on the person arrested.

## SECTION 500. SHALL MAKE RULES FOR THE POLICE DEPARTMENT.

He shall make all needful and proper rules and regulations, not inconsistent with the ordinances of the city and the general law, for the government and control of the police department, and must report to the mayor, any violations of such rules and regulations by any policeman; he shall keep a record in which he shall enter the name of each policeman, the date of his appointment, resignation or removal, and the amount of service rendered, and all commutations or pardons granted by the mayor shall be entered upon the records of the marshal.

## SECTION 501. MARSHAL SHALL BE EX-OFFICIO JAILOR.

He shall be ex-officio jailor, and have the custody of the inmates of the city jail, and furnish them with the necessary food, and bedding, and see that all rules prescribed for the government of the jail are executed.

## SECTION 502. DUTIES OF THE MARSHAL.

He shall have charge of the council chambers, police headquarters, and the furniture and appurtenances thereto pertaining, and cause the same to be kept in order, and warmed and lighted when necessary, he shall be sergeant-at-arms of the city council and attend all its meetings, in person or by deputy; he shall execute all orders of the mayor or city council and serve all processes issued by the city justice of the peace to him directed, and see that all orders and judgments are carried into effect. He shall take such measures as will secure the peace and good order of all public meetings, perform such other duties as are or may be required of him by the laws of the state, the ordinances of the city and orders of the city council. As a badge of office he shall wear conspicuously a metallic star, with the words "City Marshal" engraved thereon.

## Section 503 POWERS OF MARSHAL.

The marshal in the execution of his duties, with or without a warrant, in arresting any person accused or suspected of crime, or in the suppression of any riot or unlawful assembly, or in preventing the violation of any ordinance, shall have power to require the aid of any citizen or bystander, if necessary to accomplish the same, he shall inquire into, and report to the mayor or city attorney all violations of the city ordinances, and criminal laws of the state within the city, and cause all ordinances passed by the city council to be enforced; he shall arrest and take into custody, with or without process, any person who may be found doing any act in violation of any ordinances of the city, and bring such person before the city justice of the peace to be dealt with according to the law; and shall cause to be abated or removed any nuisance found within the city limits. He shall keep a correct account in a book provided for that purpose of all money which may, by virtue of his office, come into his hands from whatsoever source, stating from whom, and on what account received, and pay the same to the city treasurer monthly and shall make a full and complete report to the city council monthly.

## CHAPTER XXXV.

## MAYOR.

## Section 504 MAYOR AND MAYOR PROTEM.

The chief executive of this city shall be mayor, and during his temporary absence or disability, the city council shall elect one of its number to act as mayor pro tem, who, during such absence or disability, shall possess the powers of mayor.

## Section 505 VACANCY.

Whenever a vacancy shall happen in the office of mayor, the city council shall elect a mayor, who shall possess all the rights and powers of mayor until the next municipal election, and until his successor is elected and qualified.

## Section 506 REMOVAL.

If the mayor, at any time during his term of office, shall remove from the limits of this city, his office shall thereby become vacant.

## Section 507 MAYOR TO PRESIDE OVER COUNCIL.

The mayor shall preside at all meetings of the city council, but shall not vote except in case of a tie, when he shall give the casting vote.

## Section 508 MAYOR TO APPOINT CERTAIN OFFICERS.

The mayor, shall on or before the first Monday in February, A. D., and biennially thereafter, appoint, by and with the advise and consent of the city council, the following officers of the city, viz:

City Marshal, City Justice of the Peace, City Attorney, Superintendent of waterworks, Water Commissioner, Clerk of Water department, Watermaster, Street Commissioner, City Electrician, Sexton, Inspector of Buildings, Provision inspector, Sealer of weights and Measures, Pound Keeper, Plumbing inspector, City Physician, Chief of fire department, and such number of policemen as the city council may determine.

Section 509 POWERS GENERALLY.

He may exercise within the city limits the powers conferred upon him to suppress disorder, and keep peace; and he may remit fines and forfeitures and release any person imprisoned for violation of any city ordinance; he shall report any such remittance or release, with the cause thereof, to the city council at its next regular session.

Section 510. MAY EXAMINE BOOKS.

He shall have power at all times to examine or inspect the books, records and papers of any officer or agent employed by the city; he shall see that every officer at the expiration of his term of office, or resignation or removal from the same, deliver to his successor all books, papers, maps, plats, furniture, fixtures, apparatus, machinery, tools, implements, and appurtenances belonging to such office.

Section 511 MESSAGE.

The mayor shall from time to time give the council information relative to the affairs of the city, and shall recommend for their consideration such measures as he shall deem expedient.

Section 512. MAY CALL OUT INHABITANTS.

She shall have the power, when necessary, to call upon every male inhabitant of this city over the age of twenty-one years, to aid in enforcing the laws and ordinances, in suppressing riots, and other disorderly conduct, or in carrying into effect any law or ordinance of this city.

SECTION 513. POWERS IN CASE OF RIOT.

It is hereby made the duty of the mayor, or in his absence, the marshal or any policeman or justice of the peace of this city, in all cases of riot, unlawful assembly, or disorderly conduct, by any assembly or persons within this city, to make proclamation in the hearing of such riotous or disorderly persons commanding all persons so assembled, or engaged, to desist from such disorderly conduct and forthwith disperse in a quiet way and peaceable manner.

Section 514. SIGN CONTRACTS.

He shall sign all ordinances, contracts, leases, deeds and other writings on the part of the city, authorized by the city council or required by law, or any ordinance of this city except as otherwise specially provided.

## Section 515 REVISION OR ORDINANCES.

The mayor may appoint, by and with the approval of the city council, one or more competent persons to prepare and submit to the city council for their adoption, or rejection, an ordinance in revision of the ordinances of this city and for the government of this city, the compensation of such revision to be determined and fixed by the city council and paid out of the city treasury.

## Section 516 MAP OF THE CITY TO BE RECORDED.

It shall be the duty of the mayor to have recorded in the recorder's office of Summit County, a plat or map describing the correct boundaries of this city, if the said records do not contain a record of such boundaries.

## Section 517 FURTHER DUTIES.

The mayor shall perform all duties which are or may be prescribed by law, or ordinance, and shall see that the laws and ordinances are faithfully executed.

## Section 518. POWERS, APPOINTMENT AND DUTIES OF BAIL COMMISSIONERS.

The mayor, by and with the consent of the city council, may appoint from among the officers and members of the police department of the city one or more discreet persons to be known as bail commissioners, who shall have and exercise all the powers which are now or hereafter may be conferred by law upon justices of the peace or justices of the city court in respect to the fixing of bail or persons arrested within the corporate limits of the city for misdemeanors under the laws of the state, or for violation of the city ordinances, and to the taking and approving of the same. Any person who has been ordered by any such bail commissioner to give bail may deposit the amount thereof in money with such bail commissioner.

## Section 519. TERM--SALARY--BOND AND OATH.

Bail commissioners appointed under this article shall serve at the pleasure of the Mayor and City Council, and shall receive no compensation as such. Before entering upon their duties as bail commissioners they shall take and subscribe an oath to faithfully and impartially discharge the duties of their offices, and shall give bond to the city wherein they are appointed, with two good and sufficient individual sureties or with a single corporate surety, to be approved by the Mayor and City Council which bond shall be in the sum of \$2,500.00 conditioned for the faithful performance of their duties as such commissioners, and that they will well and truly account for and turn over to the treasurer of the city or the court of the said city, at such times as are required by the ordinances of the city or as directed by the Mayor and City Council all moneys, bonds, property, and records coming into their hands as such commissioners, and that at the expiration of their term of office they will surrender and turn over as aforesaid all funds, bonds, property, papers and records then in their hands pertaining to their respective offices. Suit upon any such bond may be brought by any county, city or person injured.

## SECTION 520. POWERS OF BAIL COMMISSIONERS.

In addition to their duties in respect to fixing bail, the said bail commissioners shall have power on non-judicial days, and after the hour of five o'clock p.m. and before the hour of nine o'clock a.m. on judicial days, to collect and receipt for moneys tendered in payment of such fine. All moneys collected by said bail commissioners shall be accounted for at least once each month to the city treasurer.

## CHAPTER XXXVI

## MOTION PICTURES.

## SECTION 521. OFFENSIVE PICTURES UNLAWFUL.

It shall be unlawful for any person to hold, conduct, or carry on, or to cause or permit to be held, conducted, or carried on any motion picture, exhibition, or entertainment of any sort which is offensive to decency, or is adapted to excite vicious or lewd thoughts or acts, or which is of an obscene, indecent or immoral nature, or so suggestive as to be offensive to the moral sense.

## SECTION 522. MINORS AT MOVING PICTURE SHOWS, PUBLIC PLACES.

It shall be unlawful for any child under the age or apparent age of 16 years to attend any motion picture show, or any place of amusement where motion pictures are exhibited, after the hour of 9:00 o'clock p.m. unless said child be in company with its parent, guardian or an adult person designated by the parent or guardian of such child.

It shall be unlawful for any such child to represent himself or herself to have reached the age of sixteen years in order to obtain admission to enter such places or amusement or to be permitted to remain therein when such child is in fact under sixteen years of age; and it shall be unlawful for any person to represent himself or herself to be a parent or guardian of any child in order that such child may obtain admission to any public place or amusement mentioned in this section, or to be permitted to remain therein when the party making the representation is not in fact a parent or proper guardian of such child.

It shall be the duty of the proprietors of public places of amusement to cooperate with officers and inspectors to prevent idling and loafing about the entrance of such places, and to report to officers all such cases. It shall also be the duty of such proprietors to refuse admission to all children coming under the provisions of this section under the conditions set forth herein.

## SECTION 523. EXHIBITIONS IN SCHOOLS, ETC.

Nothing in this chapter shall be construed so as to interfere with exhibitions given in public or private schools or by societies or organizations where the exhibitions are not continued for a consecutive number of days or nights.

Section 524 PUBLIC SAFETY DEPARTMENT TO MAKE RULES.

The department of public safety is herewith empowered with authority to make such rules and regulations as may be deemed necessary to secure proper observance of the provisions of this chapter.

CHAPTER XXXVII

MEETINGS AND OFFICIAL ACTS ON  
HOLIDAYS.

Section 525

When by any ordinance of this city, or otherwise, a meeting is appointed to be held, or any act appointed to be done, upon a particular day and such day falls upon a holiday, such meeting shall be deemed appointed to be held, or such act done, on the next business day. This provision, however, shall not be construed to apply to the inauguration of the city officials-elect, which may take place on the first day of January following the election of the said officers.

Section 526. FISCAL YEAR BEGINS. WHEN.

The fiscal year of this city shall begin on the first day of January.

Section 527. TERM OF OFFICE OF ELECTIVE OFFICERS.

All elective officers shall enter upon the duties of their respective offices on the first Monday in January next succeeding their election, and shall continue in office for the term of their election, and until their successors are elected and qualified.

Section 528. TERMS OF OFFICE OF APPOINTIVE OFFICERS.

The terms of office of all appointive officers shall be until the first Monday in January following the municipal election next following their appointment and until their successors are appointed and qualified, unless removed by the mayor with the concurrence of the majority of the members of the city council, or by the city council with the concurrence of the mayor.

CHAPTER XXXVIII.

OFFICIAL BONDS AND OATHS.

Section 529 OATHS. BONDS.

All elective and appointive officers of this municipality shall, before assuming the duties of office, take and subscribe the constitutional oath of office, and execute a bond with good and sufficient sureties, to be approved by the mayor, payable to the city in such penal sums as hereinafter provided conditioned for the faithful performance of the duties of their offices, and the payment of all moneys received by such officer according to law and the ordinances of this city; provided, that the bond of the Mayor shall be approved by the city council. All bonds shall be filed with the city treasurer.

## Section 530.

## a AMOUNT OF BOND.

The amount for which the respective officers of this city shall give bonds shall be as follows:

Mayor	\$500.00.	Chief of fire department	500.00
Councilmen	500.00.	Sexton	500.00
Recorder	\$5,000.00.	Inspector of buildings	500.00
Treasurer	10,000.00.	Street Commissioner	500.00
Marshall	500.00.	Policeman	500.00
Attorney	500.00.	Sealer of Weights and	
City Justice of the Peace	1000.00	Measurers	500.00
Superintendent of Waterworks	500.00.	Electrician	100.00
		Physician	500.00

## Section 531.

## NEW BOND.

In case of the death or insolvency of any surety upon an official bond during the incumbency of office of the principal in said bond, the said principal shall immediately execute, deliver and file a new bond, and in the event of his failure to do so, within ten days after notice from the mayor or from the city council of demand for such new bond, his office shall be deemed to be vacant, and the proper appoint-power may proceed to fill such vacancy, in the manner conformable to law and ordinance.

## CHAPTER XXXIX

## ORDINANCES.

## Section 532 REPEAL OF EXISTING ORDINANCES.

All the ordinances contained in this book shall be known as "Revised Ordinances, of Park City, 1940," and so far as their provisions are the same in effect as those of previously existing ordinances they shall be construed as continuations thereof; but subject to the above limits and provisions of the next section, all ordinances and resolutions of Park City, a municipal corporation, heretofore in force (except those that are of a private, local or temporary character, including franchises, grants, dedications, easements and special levies for local assessments) are hereby repealed.

## Section 533. EFFECT OF REPEALING ORDINANCES.

The repeal of the ordinances as provided in the preceding section shall not revive the ordinances previously repealed nor affect any right which has accrued, any duty imposed, any penalty incurred, nor any action or proceeding commenced under or by virtue of the ordinances repealed nor the tenure of office of any person holding office at the time when they take effect; nor shall the repeal of any ordinance thereby have the effect of reviving any ordinance theretofore repealed or superseded.

## SECTION 534. RULES FOR CONSTRUCTION OF ORDINANCES AND AMENDMENTS.

In the construction of the Revised Ordinances and all ordinances amendatory thereof the following rules shall be observed, unless such construction would be inconsistent with the manifest intent of the legislative body or repugnant to the context of the ordinance.

The singular number includes the plural.

Words used in the present tense includes the future.

Words used in the masculine gender comprehend, as well, the feminine and neuter.

The word "person" includes bodies politic and corporate, partnerships, associations and companies.

The word "writing" includes, printing, writing and typewriting.

The word "signature" includes any name, mark or sign written with the intent to authenticate any instrument or writing.

The word "month" means a calendar year unless otherwise expressed, and the word "year" or the abbreviation "A.D." is equivalent to the expression "year of our Lord."

The word "oath" includes "affirmation," and the word "swear" includes the word "affirm." Every mode of oral statement under oath or affirmation is embraced in the term "testify" and every written one in the term "depose."

The word "property" includes both real and personal property.

The terms "land," "real estate," and "real property" includes land, tenements, hereditaments, water rights, possessory rights, and claims.

The term "personal property" includes every description of money, goods, chattels, effects, evidences of rights in action, and all written instruments by which any pecuniary obligation, rights or title to property is created, acknowledged, transferred, increased, defeated, discharged or diminished, and every right or interest therein.

The words "highway" and "road" include public bridges, and may be held equivalent to the words "county way," "county road," "common road," and "state road."

The word "street" includes alleys, lanes, courts, boulevards, public ways, public squares, public places, and sidewalks.

When any time is specified in these ordinances, it shall mean standard time, as distinguished from solar time, and the words "midnight" or "noon" shall be taken to be midnight or noon standard time.

The word "owner" applied to a building or land shall include any part owner, joint owner, tenant in common, joint tenant or lessee of the whole or of a part of such building or land.

The word "tenant" or "occupant" applied to a building or land shall include any person who occupies the whole or any part of such building or land either alone or with others.

Words prohibiting anything done, except in accordance with a license or permit or authority from a board or officer, shall be construed as giving such board or officer power to license or permit or authorize such thing to be done.

The word "officer" shall include officers and boards in charge of departments and the members of such boards.

The term "wilfully" when applied to the intent with which an act is done or omitted, implies simply a purpose or willingness to commit the act, or make the omission referred to. It does not require any intent to violate law, or to injure another, or to require any advantage.

The terms "neglect" "negligence," "negligent," and "negligently" import a want of such attention to the nature or probable consequences of the act or omission as a prudent man ordinarily bestows in acting in his own concern.

The term "knowingly" imports only a knowledge that the facts exist which bring the act or omission within the provisions of these ordinances. It does not require any knowledge of the unlawfulness of such act or omission.

The term "bribe" signifies any money, good, right in action, property, thing of value, or advantage, present or prospective, or any promise or undertaking, to give any, asked, given, or accepted, with a corrupt intent to influence unlawfully the person to whom it is given in his action, vote, or opinion in any public or official capacity.

The term "corruptly" imports a wrongful design to acquire or cause some pecuniary or other advantage to the person guilty of the act or omission referred to, or to some other person.

The term "malice" and "maliciously" import a wish to vex, annoy, or injure another person, or an intent to do a wrongful act, established either by proof or by presumption of law.

The enacting style of all ordinances of Park City shall be "be it ordained by the city council of Park City, Utah."

#### SECTION 535. INTENT TO DEFRAUD.

Whenever by any of the provisions of the revised ordinances an intent to defraud is required in order to constitute any offense, it is sufficient if an intent appears to defraud any person, association or body politic or corporate whatever.

#### SECTION 536. LIABILITY OF EMPLOYERS AND AGENTS TO PENALTY FOR VIOLATION OF ORDINANCES.

When the provisions of an ordinance prohibit the commission or omission of an act, not only the person actually doing the prohibited thing or committing the directed act, but also the employer and all other persons concerned or aiding or abetting therein, shall be guilty of the offense described and liable to the penalty prescribed for the offense.

#### SECTION 537. ESSENTIALS OF CRIME.

In every crime or public offense, there must exist a union or joint operation of act and intent, or criminal negligence.

#### SECTION 538. PENALTY FOR VIOLATION OF ORDINANCE.

Whenever no other penalty is prescribed any person convicted of violating any provision of any ordinance included in these Revised Ordinances, or ordinances hereafter enacted, shall be punished by a fine in any sum not exceeding Fifty Dollars(\$50.00), or by imprisonment in the City Jail for a period not longer than thirty (30) days, or by both such fine and imprisonment.

## SECTION 539. WHEN ORDINANCES TAKE EFFECT. PUBLICATION. PROOF.

All ordinances before taking effect shall be deposited in the office of the city recorder and published at least once in some newspaper published within the city, and shall take effect on the thirty-first day after passage, unless it is necessary to the immediate preservation of the health, peace or safety of the city that such ordinance should take effect immediately, and no such emergency measure shall become immediately operative, unless it shall state in a separate section the reasons why it is necessary that it should become immediately operative, and also state when it shall become effective, and no such emergency measure shall take effect immediately unless approved by the affirmative vote of three-fourths of all the members elected to the city council; provided, however, that all ordinances with relation to public improvements and levying of taxes for the same shall become effective immediately upon first publication thereof, unless a different time is mentioned in the ordinance; provided, further, that when a revision is made and the revised ordinances are published by authority of the city council, no further publication shall be deemed necessary. The city recorder shall record all ordinances in a book kept for that purpose, together with affidavits of publication by the publisher, or his agent; and said book, or a certified copy of the ordinances, under the seal of the city, shall be received as evidence in all courts and places without further proof, or if printed in book or pamphlet form by authority of the city council, they shall be so received.

## CHAPTER XL

## PUBLIC OFFENSES.

## SECTION 540. ABUSIVE LANGUAGE.

It shall be unlawful for any person to use abusive, menacing, insulting, slanderous or profane language within the limits of Park City.

## SECTION 541. ASSAULT DEFINED.

An assault is an unlawful attempt, coupled with a present ability to commit a violent injury on the person of another. It shall be unlawful for any person to commit an assault within the limits of Park City.

## SECTION 542. BATTERY DEFINED.

A battery is any wilful and unlawful use of force or violence upon the person of another. It shall be unlawful for any person to commit a battery within the limits of Park City.

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## SECTION 543. BARBED WIRE FENCES PROHIBITED.

It shall be unlawful for any person to erect or cause to be erected or to maintain any barbed wire fence along or adjacent to any street, or as a division fence between adjoining lots or parcels of land, either of which is occupied as a place of residence; any such fence so erected or maintained is hereby declared to be a nuisance, and any person so erecting or maintaining such a nuisance shall be deemed guilty of a public offense.

## SECTION 544. BATHING.

It shall be unlawful for any person to bathe or swim in any of the waters, reservoirs or streams within the limits of Park City, except in public or private bath houses.

SECTION 545. BAWDY HOUSES. DISORDERLY HOUSES, KEEPING, RESIDENCE IN, RESORTING TO, OWNING. ~~HAVING CONTROL OF HOUSES OF ILL-FAME~~

It shall be unlawful for any person to do, commit, or suffer to be done or committed any or either of things or acts in this section hereinafter enumerated, within the limits of Park City, Utah, or within three miles of the outer boundaries thereof:

To keep, maintain or permit to be kept or maintained upon or in any property owned, occupied or leased by or to such person, any bawdy, or other disorderly house, house of ill-fame or assignation houses.

To keep, maintain or permit to be kept or maintained upon or in any property owned, occupied or leased by or to such person, such building, place or structure resorted to or used in whole or in part by one or more females for lewdness or prostitution.

To resort to, or reside in any place mentioned in this section for the purpose of lewdness, prostitution, unlawful sexual intercourse or other immoral or illegal purposes.

To keep a house of ill-fame resorted to for the purpose of prostitution or lewdness; or to wilfully reside in such house, or to resort thereto for lewdness.

To be the owner of any building or tenement, the whole or any part of which is used for any of purposes mentioned in this section.

To have control of such building or tenement as agent, guardian or lessee of such owner; after written notice to such owner, agent, guardian or lessee that such building or tenement is being used for the purposes mentioned in this section.

To let any building or tenement, knowing that the lessee intends using the same, or any part thereof, for the purposes mentioned in this section. To harbor or keep about his premises any person known to be guilty of following a lewd course of life.

## SECTION 546. BILLIARD AND POOL HALLS TO CLOSE AT 12 MIDNIGHT.

It shall be unlawful for the owner, keeper, manager of, or employee in, any public billiard hall or pool hall in Park City to allow or permit such billiard hall or pool hall to be or remain open for business between the hours of twelve o'clock p.m. of any day and eight o'clock a.m. of the following day.

## SECTION 547. COASTING ON STREETS PROHIBITED.

It shall be unlawful for any person to coast or slide with any sled, sleigh, toboggan or vehicle, upon any public street, avenue, sidewalk or alley within Park City, provided, however that the city council, by public notice or proclamation, may authorize the use of certain streets, avenues or alleys, for coasting during the winter season. During the period for which such notice or proclamation shall be issued, coasting and sliding upon such streets or avenues as may be designated by the said proclamation or notice shall be permissible.

## SECTION 548. CONCEALED WEAPONS.

It shall be unlawful for any person to carry concealed, any slingshot, brass knuckles, revolver, dagger, stiletto, or other deadly weapon.

## SECTION 549. DEFACING OR DESTROYING PROPERTY PROHIBITED.

It shall be unlawful for any person wilfully to injure, deface or destroy property of another, either public or private, or to secrete any goods, chattels or personal property of another, or to prepare any dead-fall, or to dig any pit, or to arrange any trap, to injure another's person or property, or to take down, injure or remove any monument, street sign, or any tree marked as a boundary of any tract of land or city lot, or to injure, destroy, deface or alter the marks of any monument, or street sign, or to deface, injure or destroy any fence or fountain, or any shade or fruit tree, or to deface, injure or destroy any kind of public or private property, or to deface sidewalks or trees located upon public property with painted or printed hand bills, signs, posters or other advertisements.

## SECTION 550. DISCHARGE OF FIREARMS PROHIBITED.

It shall be unlawful for any person to discharge firearms of any description within the limits of Park City.

## SECTION 551. DISCHARGING AIR GUNS, SPARROW GUNS OR FLIPPERS PROHIBITED.

It shall be unlawful for any person to discharge any air gun, sparrow gun, flipper or other similar contrivance within the limits of Park City.

## SECTION 552. DISORDERLY HOUSES.

It shall be unlawful for any person knowingly to manage, keep or maintain a disorderly house within the limits of Park City or within three miles of the outer boundaries thereof.

It shall be unlawful for any person knowingly to visit, frequent or resort to a disorderly house, except for a legitimate purpose.

All bawdy houses, houses of ill-fame, assignation houses, all houses or places frequented or resorted to for lewd, unchaste, or immoral purposes, all unlicensed public dance halls, and all houses, restaurants, hotels, soft drink parlors, pool halls and other places where intoxicating liquors are sold, kept, served or consumed, or where intoxicating liquors or vessels or bottles which have recently contained intoxicating liquors are found upon, under or near, tables, or in rooms or booths, shall be deemed and held to be disorderly houses.

## SECTION 553. CHEATS AND SWINDLERS.

It shall be unlawful for any person or persons to use or practice any game, trick, or device with intent to defraud, cheat or swindle another, or for any persons to conspire together to accomplish such purpose, within the limits of Park City.

## SECTION 554. DISORDERLY PERSON DEFINED.

All persons who shall use insulting, indecent or immoral language, or who shall be guilty of any indecent, insulting or immoral conduct or behavior in Park City, shall be deemed a disorderly person.

It shall be unlawful to be a disorderly person within the limits of Park City.

## SECTION 555. DISTURBANCES AT PUBLIC PLACES PROHIBITED.

It shall be unlawful for any person to excite disturbance or contention at any public place, public house, court, election or any lawful meeting of citizens within the limits of Park City.

## SECTION 556. DISTURBANCE AT RELIGIOUS MEETING PROHIBITED.

It shall be unlawful for any person to disturb a public assembly, congregated for religious or other lawful purposes, within the limits of Park City, by undue noise, or by offensive, unbecoming or indecent behavior.

## SECTION 557. DISTURBING THE PEACE.

It shall be unlawful for any person maliciously or wilfully to disturb the peace or quiet of another or of any neighborhood or family, by loud or unusual noise or by discharging firearms of any description, or by tumultuous, lascivious or offensive conduct, or by threatening, traducing, quarreling, challenging to fight or fighting or by the use of profane or blasphemous language.

## SECTION 558. PROPERTY AND BOOKS TO BE DELIVERED TO SUCCESSOR, PENALTY.

Every officer of the municipality, shall within five days after notification and request, deliver to his successor in office all properties, books, and effects of every description in his possession belonging to the city or appertaining to his or her office, and upon his failure or refusal to do so shall be guilty of a misdemeanor, and shall be punished by a fine in any sum not less than Fifty (\$50.00) Dollars nor more than Two Hundred and Ninety Nine (\$299.00) Dollars, or by imprisonment in the city or county jail not exceeding six (6) months, or by both such fine and imprisonment.

## SECTION 559. DEFINITION OF MISDEMEANOR.

A misdemeanor in this city an act committed or omitted in violation of any city ordinance, forbidding or commanding it, and is punishable for each offense, upon conviction, as follows: First, fine; second, imprisonment; or third, both fine and imprisonment.

## SECTION 560. AIDING PRISONER TO ESCAPE.

It shall be unlawful for any person to aid or assist another person to escape from lawful confinement within this city, or to aid or assist another to escape from any peace officer of this city; and it shall be unlawful for any person to carry or sent into the city jail anything useful to aid a prisoner in making an escape, or any intoxicating liquor.

## SECTION 561. DOG FIGHTS.

It shall be unlawful for any person within the limits of this city, to in any manner whatever encourage or urge dogs on any other animals or fowls to fight, or urge them after they commence to fight.

## SECTION 562. DRUGS. SALE ON STREETS PROHIBITED.

It shall be unlawful for any person to sell, barter or offer for sale or to dispose of by public outcry or otherwise, any drug, medicine or other substance for the cure of any disease or ailment on any of the streets, alleys or highways within the limits of Park City.

## SECTION 563. DRUGS TO BE LABELED.

It shall be unlawful for any person carrying on business as a dealer in drugs and medicines, within the limits of Park City, or for any person employed by such person, to fail or neglect properly to label the containers of said drugs in a plain and legible manner, in the English language.

## SECTION 564. DRUNKENNESS PROHIBITED.

Drunkenness and drinking intoxicating liquor in public is a misdemeanor. Any person who in any street or alley, public place, restaurant, hotel lobby or parlor, or in or upon any passenger coach, street car, or upon any other vehicle commonly used for the transportation of passengers, or

in or about any depot, platform, waiting station or room, or at any public gathering shall drink any intoxicating liquors of any kind, or shall be drunk or intoxicated, shall be deemed guilty of a misdemeanor.

SECTION 565. ENTICING MINORS FROM GUARDIANS PROHIBITED.

It shall be unlawful for any person to use any influence to entice or persuade any minor, male or female, under the age of fourteen years, from his or her parents, guardians, or other persons having charge or custody of such minor, without the consent of such parents, guardians or other persons.

SECTION 566. MINORS PROHIBITED FROM HAVING TOBACCO OR NARCOTICS.

Any person under the age of twenty-one years of age who shall buy, accept or have in his possession any narcotic, cigar, cigarette, or tobacco in any form; or any parent, guardian or other person who shall send or order any minor to procure any kind of tobacco or narcotic for any purpose whatsoever, shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in any sum not exceeding fifty dollars, or by imprisonment in the city or county jail not to exceed thirty days, or by both such fine and imprisonment.

SECTION 567. ESCAPE OF PRISONERS.

It shall be unlawful for any person convicted of any offense against the ordinances of this city or under arrest and in lawful custody to escape from such custody.

SECTION 568. EMBEZZLEMENT DEFINED.

Embezzlement is the fraudulent appropriation of money or property by a person to whom it has been intrusted. It shall be unlawful for any person to be guilty of the embezzlement of money or other property of value not exceeding fifty dollars. Upon any prosecution for embezzlement, it is a sufficient defense that the property was appropriated openly and avowedly, and under a claim of title preferred in good faith, even though such claim is untenable.

SECTION 569. ESCAPES.

It shall be unlawful for any person convicted of any offense against the ordinances of Park City, or under arrest for the commission of any offense against the ordinances of Park City, or in lawful custody to escape from such custody.

SECTION 570. EXPECTORATION AND SPITTING IN PUBLIC PLACES PROHIBITED.

It shall be unlawful for any person to expectorate or spit or throw cigar stumps, cigarette stumps or quids of tobacco on the floor of any street railway car or other public conveyance, or public building or upon any paved sidewalk or paved crosswalk within Park City.

SECTION 571. UNLAWFUL TO ALLOW FOWLS OR DOMESTIC ANIMALS TO TRESPASS UPON PROPERTY OF ANOTHER.

It shall be unlawful for the owner or any person in charge of domestic fowls, such as turkeys, ducks, Geese or chickens, or domestic animals, such as dogs or cats, to permit such fowls or domestic animals to trespass upon the premises of another. It shall be unlawful for any person to house, keep, run or feed any such fowls within 20 feet of any house used for human habitation.

SECTION 572. FIGHTING PROHIBITED.

It shall be unlawful for two or more persons to engage in a fight within the limits of this city.

SECTION 573. CARE OF COOPS.

All coops or buildings where fowls are housed shall be white-washed or sprayed with some disinfectant at least three times yearly, once in each of the months of March, July and October.

All droppings under roosts shall be cleaned out at least once every two weeks.

All coops, run-ways and surroundings shall be kept and maintained in a clean and sanitary condition.

SECTION 574. INTERFERING WITH OFFICER IN DISCHARGE OF DUTY PROHIBITED.

It shall be unlawful for any person in any way to interfere with, resist, molest, or threaten any officer of Park City, while in the discharge of his official duties.

SECTION 575. LABOR. NUMBER OF HOURS. CITIZENS TO BE GIVEN PREFERENCE.

It shall be unlawful for any person employed by or under contract with Park City, to permit any workman to labor more than eight hours per day. In the employment of workmen by Park City, or in the contracting with Park City, or by any person contracting with Park City, preference shall be given to citizens of the United States, or those having declared their intentions of becoming citizens. In each contract for the construction of public works, the above provisions shall be inserted and a further clause to the effect that if the provisions of this section are not complied with, the contract will be sold.

SECTION 576. MINORS. SALE OF TOBACCO TO.

It shall be unlawful for any person to sell, give, or furnish any cigar, cigarette, or tobacco in any form, to any person under twenty-one years of age.

## SECTION 577. MINORS. ID, PURCHASE, ACCEPTING OR HAVING IN POSSESSION.

It shall be unlawful for any person under the age of twenty-one years to purchase, accept or have in his or her possession any cigar, cigarette or tobacco, in any form.

## SECTION. 578. MINORS ON STREETS AT UNREASONABLE HOURS PROHIBITED.

It shall be unlawful for minor persons under fourteen years of age to be on any of the streets, alleys, or public places in Park City between nine o'clock p.m. and four o'clock a.m. except such minor be attended by some suitable and proper adult person. It shall be unlawful for any guardian, parent, or other person, having the legal care and custody of any minor under fourteen years of age, to allow or permit any such minor to go or be in or upon any of the streets, alleys, or public places in said city within the time hereinbefore prohibited unless such minor be then and there accompanied by a suitable and proper adult person. The chief of police shall cause a curfew bell or whistle to be sounded at nine o'clock each night.

## SECTION 579. MISCHIEVOUS CONDUCT.

It shall be unlawful for any person to place upon any track or rail over which cars of any kind or description pass or over which cars of any description are intended to pass, any cartridge, cap, torpedo, or any explosive thing or substance, or any obstruction or thing or substance whatsoever.

## SECTION 580. NUISANCES. DISORDERLY HOUSES.

All bawdy and other disorderly houses, houses of ill-fame, assignation houses, and houses kept by, maintained for, or resorted to, or used by one or more females for lewdness or prostitution, or houses where intoxicating liquors are sold, served, bartered, kept, stored, given away or used in violation of law, or where persons are permitted to resort for the drinking of intoxicating liquors as a beverage, or where intoxicating liquors are kept for use, sale, barter, or delivery in violation of law within the limits of Park City, or within three miles of the outer boundaries thereof, are hereby declared to be public nuisance.

It shall be unlawful for any person to keep, maintain or to contribute in any manner to the keeping or maintenance of a public nuisance.

## SECTION 581. DISORDERLY PERSONS AND PROSTITUTES.

It shall be unlawful for any person without visible means of support or some legitimate business, to stand, loiter or stroll about on any street or alley, or near or around any railroad depot, banking institution, broker's office, place of amusement, hotel, auction room, saloon, store, shop, car, pool hall, card rooms or any public place in Park City, or for any person to stand, loiter or stroll about in any place in Park City awaiting or seeking an opportunity to obtain money or other valuable things from others by trick or fraud, or to aid or assist therein, or for any person to engage in or practice any game, trick or device with intent to swindle; or for any person without visible means of support or some legitimate business to wander about the streets, either by

day or night, without being able to give a satisfactory account of himself or herself; or for any male person other than her husband, father or brother habitually to associate with one or more females known to be common prostitutes; or for any female known to be a common prostitute to be on or about the streets, alleys, parks or public places of Park City, without a reasonable excuse, between the hours of four p.m. of any day and one a.m. of the next day, or to be on or about the streets, alleys, parks or public place of Park City, for unlawful purposes at any time.

SECTION 582. OBSCENE LITERATURE OR CONDUCT.

It shall be unlawful for any person:

1. To have in his possession or to offer for sale, sell, exhibit, pass, give, or deliver to another, any obscene, lewd or indecent book, pamphlet, picture, card, print, paper, mould, cast or figure.
2. To circulate or distribute or cause to be circulated or distributed any pamphlets, books or circulars treating or illustrating any of the diseases of the sexual organs.
3. To appear in a public place, or in any place open to public view, naked or in an indecent or lewd dress.
4. To make any indecent or obscene exposure of his or her person, or to urinate or stool in any place open to public view.
5. To exhibit indecently any horse, bull or other animal.
6. To be guilty of prostitution or any lewd, lascivious, obscene or indecent conduct.
7. To utter or speak any obscene or lewd language.
8. To exhibit or perform any indecent, immoral or lewd play or other representation.

SECTION 583. OBTAINING MONEY OR GOODS UNDER FALSE PRETENSES.

It shall be unlawful for any person, by false or fraudulent representation or pretense, to obtain from another person any choses in action, money, goods, wares, merchandise, chattels, effects or other valuable thing, with intent to cheat or defraud any person of the same, within the limits of Park City; provided the value of the property so obtained does not exceed fifty dollars. It shall be unlawful for any person to enter into any public house or place and call for refreshments or any other article or thing, and receive the same and depart, or attempt to depart therefrom without paying or compensating the owner or person in charge thereof, or making satisfactory arrangements with the said person in charge thereof as to said compensation.

## SECTION 584. OPIUM DENIS.

It shall be unlawful for any person to keep or maintain, or to become an inmate of, or to visit, or in any way to contribute to the support of any place, house or room where opium is smoked, or where persons assemble for the purpose of smoking opium or inhaling the fumes of opium, or to suffer or permit any person to smoke opium or inhale the fumes of opium in any premises over which such person has control; provided, however, that the provisions of this section shall not be construed to apply to the keeper of a house or place where an habitual user of narcotic drugs is harbored, and who at the time is under the professional care of lawfully authorized practitioner of medicine.

## SECTION 585. PERSONATING AN OFFICER. ACTING OR ATTEMPTING TO ACT AS SPECIAL POLICE OFFICER.

It shall be unlawful for any person falsely to represent himself to be an officer of Park City, or to attempt to personate an officer of said city, or without authority, to perform any official act or for any person appointed a special officer to act or attempt to act as such officer at any other place in the city than the place where he was appointed to act; or to attempt to act as such officer after one year from the date of his appointment; or to wear any star or other insignia of office after one year from his appointment to such office.

## SECTION 586. PLAYING ON SIDEWALKS.

Every person who shall obstruct the sidewalk or street by playing at ball, quoits, marbles, jumping, rolling of hoops, or other game within this city so as to obstruct the free travel thereon is guilty of a misdemeanor.

## SECTION 587. OFFICERS REFUSING TO PERFORM DUTIES.

Every officer of this city who shall refuse to perform any of the duties imposed upon him by ordinance, order or resolution of the city council, or who shall perform the same in a fraudulent or partial manner; or shall become a party to, or encourage any violation of the city ordinances of this city, is guilty of a misdemeanor.

## SECTION 588. PLANTING CERTAIN TREES UNLAWFUL.

It shall be unlawful to plant or set out upon any of the streets, alleys, or public places of this city any trees of the varieties commonly known as cottonwood, balm-of-gilead, or other cotton bearing trees, hawthorn, thorny locust or mulberry, lombardy poplar and every person who shall hereafter plant any such trees upon any of the streets, alleys or public places of this city is guilty of a misdemeanor.

## SECTION 589. MALICIOUS MISCHIEF.

Any person who shall within the limits of this city, mischievously remove or damage any gate, sign, awning, fence, wagon, buggy, automobile, motor cycle, bicycle, standing crops or other property not his own or by authority of the owner, or who shall take any property without the consent of the owner from any place where the same may be lawfully, or who shall wilfully destroy, injure or secrete any goods, chattels or valuable papers of another; or who shall prepare or dig any deadfalls, or pits or contrive or construct any other device to injure the person or property of another is guilty of a misdemeanor.

## SECTION 590. PROFANITY.

It shall be unlawful for any person to profane the name of the diety within the limits of this city.

## SECTION 591. THROWING STONES.

Every person who shall wilfully or carelessly within the limits of this city throw any stone, stick, snowball or other missile whereby any person shall be hit or any window broken or other property injured or destroyed, or in such manner as to render travel upon the public streets and places of this city dangerous, or in such manner as to frighten or annoy any traveler, is guilty of a misdemeanor.

## SECTION 592. PETIT LARCENY DEFINED.

Petit larceny is the unlawful stealing, taking, carrying, leading or driving away the personal property of another, when the personal property so taken is of a value not exceeding fifty dollars. It shall be unlawful for any person to commit the offense of petit larceny. The possession of property recently stolen, when the party in possession fails to make a satisfactory explanation, shall be deemed prima facie evidence of guilt.

## SECTION 593. POSTING BILLS WITHOUT PERMISSION.

It shall be unlawful for any person, acting for himself or through an agent, or for such agent, to print, paint, write, mark, paste, or in any way post up any notice, card advertisement, or other device upon any tree, post, pole, device or standard, upon any street or sidewalk at any time.

## SECTION 594. PRISONERS. FURNISHING WEAPONS, TOOLS, INTOXICATING DRINKS, OR OTHER ARTICLES TO PRISONERS PROHIBITED.

It shall be unlawful for any person to furnish or to attempt to furnish or take into the city prison, or to deliver or attempt to deliver to any prisoner therein confined, or in the custody of any officer, of such prison, any weapon, tool, intoxicating drink, drug, merchandise, or food, or other article, without the consent of the officer in charge.

## SECTION 595. PROSTITUTES.

It shall be unlawful for any woman to pursue, or advertise in any manner, her vocation as a prostitute, or to be guilty of prostitution.

It shall be unlawful for any prostitute to be in or upon the public streets of Park City, or in any doorway, window or place open to public view from the public streets or alleys of Park City, between the hours of seven o'clock p.m. and seven o'clock a.m. of the following day, except such prostitute be on lawful business.

## SECTION 596. PUBLIC LIBRARY.

It shall be unlawful for any person to marke, tear or in any manner injure, deface, mutilate or destroy any book, pamphlet or other property of the free public library of Park City. It shall be unlawful for any person to fail to return any book, pamphlet or other property of the free public library within five days after the receipt of a notice from the librarian thereof, demanding the return to the library of such property.

## SECTION 597. REGISTERS TO BE KEPT BY HOTELS, BOARDING HOUSES, ROOMING HOUSES AND LODGING HOUSES.

It shall be unlawful for the keeper of any hotel, public camp ground, boarding house, lodging house or rooming house to fail to keep a register in which such keeper shall require each guest to write his or her name and place of residence before occupying any sleeping or other room; or to fail to enter on such register opposite the name of each guest the number, letter or other designation of the room assigned to such guest, or to fail to keep such register open to public inspection at all times until one year after said register shall have been filled. Such register shall be permanently bound blank book sufficient in size to contain all the information herein provided to be placed in the same. Any person, be he owner, proprietor, clerk or any other person having regular or temporary charge of any hotel, boarding house, lodging house, or rooming house, who shall violate any provisions of this section, shall be deemed guilty of a public offense.

## SECTION 598. RIOT.

Any use of force or violence, disturbing the public peace, or any threat to use such force or violence, by two or more persons acting together and without authority of law, if accompanied by immediate power of execution, is a riot. It shall be unlawful for any person to participate in any riot.

## SECTION 599. TRESPASS.

It shall be unlawful for any person to take down any fence, or to let down any bars, or to open any gate so as to expose any enclosure, or to ride, drive, walk, lodge, camp or sleep upon the premises of another without the permission of the owner or occupant thereof.

## SECTION 600. VAGRANCY DEFINED.

1. Every person (except an Indian) without visible means of support, who has the physical ability to work and who does not seek employment, nor labor when employment is offered him; or

2. Every healthy beggar who solicits alms as a business; or

3. Every person who roams about from place to place without lawful business; or

4. Every person known to be a pickpocket, thief, burglar or confidence operator either by his own confession, or by his having been convicted of either of such offenses, and having no visible or lawful means of support, when found loitering around any railroad depot, banking institution, broker's office, place of amusement auction room, store, shop, or crowded thoroughfare, car, or omnibus, or at any public gathering or assembly; or

5. Every idle or lewd, or dissolute person, or associate of known thieves; or

6. Every person who wanders about the streets at late or unusual hours of the night, without any visible or lawful business; or

7. Every person who lodges in any barn, shed, shop, outhouse, vessel, or place other than such as is kept for lodging purposes, without the permission of the owner or party entitled to the possession thereof; or

8. Every person who lives in and about houses of ill-fame; or

9. Every persons who acts as a runner or capper for attorneys in and about police courts or city prisons; or

10. Every common prostitute, and every woman who from the doorways on the streets, or any other place, solicits men for immoral purposes; or

11. Every common drunkard; or

12. Every addict of the drug habit, is a vagrant.

Any person who commonly practices or who follows the occupation of exacting money, tribute or support from any person by means of threats, or coercion, for any purpose whatsoever shall be deemed a common vagrant.

It shall be unlawful for any person to be a vagrant within the limits of Park City.

## SECTION 601. FIREWORKS PROHIBITED.

It shall be unlawful for any person within the limits of Park City to discharge, explode or set off any rocket, squib, firecracker, Roman candle, sparkler, cannon, gun, rifle, pistol, toy pistol, or any other firearm or fireworks, or combustible or explosive matter whatever without first obtaining permission of the city council so to do. Such permission shall be granted only on written application made therefor and after the said application has been submitted to the chief of the fire department and a report thereon made by him to the city council. The permission herein provided shall be in writing and shall specify the time when and the place where such fireworks or firearms or combustibles or explosive matter may be discharged, set off or exploded.

It shall be unlawful for any person to sell or to offer for sale, or have in his possession or custody, any rocket, squib, firecracker, Roman candle, toy pistol, fire balloon, or other combustible or explosive fireworks, or any article for the making of pyrotechnical display, without first obtaining from the city council permission in writing to sell or offer for sale or have in his custody any such article.

## SECTION 602. HABITUAL OR PROFESSIONAL THIEVES, ETC.

If any person be charged on oath in the city court with being a professional or habitual thief, burglar, shop-lifter, pickpocket, swindler or confidence man, and he shall have been arrested by any peace officer, at any railroad depot, church, banking institution, broker's office, place of public amusement, auction room, fair ground, hotel, mercantile establishment, crowded thoroughfare, or any other public place, and it shall be proven to the satisfaction of said court that he was frequenting or attending such place or places for an unlawful purpose, he shall be committed to the city jail for a period not to exceed ninety days, there to be kept at hard labor; or, in the discretion of said court, he may be required to enter security for his good behavior for a period not exceeding six months.

## SECTION 603. FALSE OR FRAUDULENT-ADVERTISING PROHIBITED.

It shall be unlawful for any person engaged in business in Park City with intent to sell or in any wise dispose of merchandise, service or anything offered by such person directly or indirectly to the public for sale or distribution, or with intent to increase the consumption thereof, or to induce the public in any manner to enter into any obligation relating thereto; or to acquire title thereto, or an interest therein, to make, publish, disseminate, circulate, or place before the public, or cause directly or indirectly to be made, published, disseminated, circulated or placed before the public in this city in a newspaper or other publication, or in the form of a book, notice, hand-bill, poster, bill, circular, pamphlet, or letter, or in any other way, an advertisement of any sort regarding merchandise, service, or anything so offered the public, which advertisement contains any assertion, representation or statement of fact which is false or untrue in any respect, or which is deceptive or misleading as defined in this ordinance.

## SECTION 604. DEALERS NOT DISCLOSING TRUE CHARACTER.

It shall be deemed deceptive and misleading advertising and unlawful for any person engaged in the business of buying and selling new or secondhand articles of goods, wares and merchandise, or other property, real or personal, or who is engaged in the business of furnishing any kind of service, to advertise by means of "liner ads" in a newspaper, or otherwise, such articles, property or service for sale in a manner indicating that the sale is being made by a householder or private part not engaged in such business; and every person engaged in any such business shall in advertising such goods, wares or merchandise, property or service for sale, either through "liner ads" or otherwise, affirmatively and clearly indicate that the seller is engaged in such business and is not a private party.

## SECTION 605. DECEPTIVE AND MISLEADING ADVERTISING. SECONDS.

It shall be deemed deceptive and misleading advertising and unlawful for any person in a newspaper or other publication, or in any other manner hereinbefore set out, to offer to the public, for sale or distribution, any merchandise which is secondhand or used merchandise, or which is defective in any manner, or which consists of articles or units or parts known as "seconds" or blemished merchandise, or which has been rejected by the manufacturer thereof as not first class, unless there be conspicuously displayed in direct connect with the name and description of such merchandise and each specific article, unit or part thereof, unequivocal statement, phrase or word which will clearly indicate that such merchandise or each article, unit or part thereof so advertised is secondhand, used, defective or consists of seconds, or is blemished merchandise, or has been rejected by the manufacturer thereof as not first class, as the fact may be.

## CHAPTER XLI

## PUBLIC DANCE.

## SECTION 606. DEFINITION.

The term "public dance" as used in this chapter, shall be taken to mean any dance to which admission can be had by the payment of a fee, or by the purchase, possession, or presentation of a ticket or token, or in which a charge is made for caring for clothing or other property; or by the payment of a fee for music for said dance; or any other dance to which the public generally may gain admission, with or without payment of a fee.

The term "public dance hall" as used herein shall be taken to mean any room, place or space in which a public dance may be held,

## SECTION 607. LICENSE.

It shall be unlawful to hold any public dance within the limits of this city, until the dance hall in which the same may be held shall first have been duly licensed for said purpose. The application shall be made to the city council who, after investigation of the character of the applicant, and the place where said public dances shall be held, shall act upon such application in regard to granting or denying the same as it shall deem just and proper.

## SECTION 608. AMOUNT.

The license fee required for a public dance hall shall be: For license fee for public dances see chapter on licenses of these Revised Ordinances.

## SECTION 609. LICENSE MAY BE REVOKED.

Such license shall specify the location of the public dance hall and the city council of this city may revoke any such license when it shall appear to said city council that any public dance hall so licensed is conducted in an illegal, disorderly or improper manner, or whenever a person so conducting such dance hall has been convicted of a violation of any of the provisions of this chapter. No license shall be revoked until a hearing be had by the city council in the matter. Written notice of which hearing shall be served at least three days prior to the date thereof upon the holder of such license, or his, or its manager or agent. Such notice shall state the ground of complaint against the holder of such license, and the time when and place where such hearing shall be held, and it shall be served by delivering the same personally to the holder of such license or to his or its manager or agent. If at any time the license of a public dance hall shall be revoked, at least six months shall elapse before another license shall be given for dancing on the same premises.

## SECTION 610. TIME DANCES MAY BE CONDUCTED.

It shall be unlawful for any person conducting or maintaining a public dance hall or having charge or control thereof, to conduct, or carry on, or permit any dance or dancing therein between the hours of one A.M. of any day of the week, other than Saturday, and 6 o'clock of the same day, and between the hours of 12 o'clock midnight, of any Saturday and six o'clock a.m. of the following Monday.

## SECTION 611. MINORS MUST BE CHAPERONED.

It shall be unlawful for any minor under the age of fifteen years of age, unless accompanied by his or her parents, guardian or chaperon, to enter, be or remain in any public dance hall at any time is being carried on therein, or to dance therein, and it shall be unlawful for any person conducting or maintaining any public dance hall to permit any minor under the age of fifteen years to enter, be or remain in such public dance hall or to dance therein at any time while a dance is in progress or being conducted therein, unless such minor is accompanied by his or her parent, guardian, or proper chaperon; provided the above provisions shall not apply to children's dances in the day time under the supervision of a proper adult committee, or chaperon.

## SECTION 612. INTOXICATING LIQUORS. CONDUCT OF DANCERS.

It shall be unlawful for any person at any time when a dance, or dancing is in progress or being conducted in a public dance hall, to take or bring into, or to cause or permit to be taken, or brought into or to be drunk in any such dance hall any intoxicating liquor to to take or bring any intoxicating liquors into, or to drink the same in or to cause or permit intoxicating liquors to be taken into or to be drunk in any room or place connected with dance hall, in any place upon the same premises, or within the same enclosure in which such hall is situated; and it shall be unlawful for any person maintaining or conducting any such dance hall to allow or permit any intoxicated, boisterous or disorderly person to enter, be, or remain in, or dance in such hall; nor shall any smoking be indulged in, on the floor of any dance hall, apartments thereof, or in any of the entrances or approaches thereto.

## SECTION 613. CONDITION OF HALL.

All public dance halls and all stairways and outer passages and all rooms connected therewith shall be kept at all times in a clean, healthful, sanitary and well lighted condition.

## SECTION 614. INSPECTION.

All public dance halls shall be open at all times to the visits, inspection, and supervision of any executive or peace officer of this city. The city marshal shall have the power, and it shall be his duty, to cause the place, hall or rooms, where any dance is held or given, to be vacated whenever any provisions of any ordinance with regards to public dances are being violated.

## SECTION 615. IMPROPER DANCING FORBIDDEN.

It shall be unlawful for any person in any public dance hall in this city to dance an improper, indecent, obscene, rowdy or boisterous dance or dances.

## SECTION 616. UNLAWFUL TO PERMIT INDECENT ACTS, ETC., IN PUBLIC DANCE HALLS.

It shall be unlawful for any person to whom a dance hall license is issued, or for any person conducting a public dance hall or public dance under permit from the city, to allow or permit in any dance hall any indecent act to be committed or any disorder or conduct of a gross, violent, or vulgar character, or to permit in such dance hall any known prostitute, pimp, or procurer. Any member of the police department, or other properly constituted authority, shall have the power, and it shall be their duty to cause any dance hall to be vacated whenever any provision of this ordinance, or any ordinance, regulation or law concerning dance halls has been or is being violated, or wherein any ordinance, regulation, or law of any character shall be violated, or whenever any indecent act shall be committed, or when any disorder or conduct of a gross, violent, or vulgar character shall take place therein, or any known prostitute, pimp or procurer be found to be present in such place.

## SECTION 617. UNLAWFUL FOR PROSTITUTES TO BE IN PUBLIC DANCE HALL.

It shall be unlawful for any known prostitute, male or female procurer, or vagrant, to be present at any public dance hall.

## SECTION 618. PENALTY.

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine in any sum not exceeding fifty dollars or by imprisonment in the city or county jail for a period not longer than thirty days, or by both such fine and imprisonment.

## CHAPTER XLII

## PUBLIC WORKS.

## SECTION 619. INCONSTRUCTION OF PUBLIC WORKS, CITIZENS OF THE UNITED STATES GIVEN PREFERENCE.

In employing workmen in or on the construction of public works by the municipality or by persons contracting with the municipality, preference shall be given citizens of the United States, or those having declared their intentions of becoming citizens. In each contract for the construction of public works, the provision shall be inserted to the effect that if the provisions of this section are not complied with the contract shall be void.

## SECTION 620. CONTRACTS.

Every contract made by said council shall contain such stipulations as shall require the contractor to erect and maintain good and sufficient guards, barricades and signals at all unsafe places at or near where the work or improvement contemplated by the contractor is to be done or made; also such stipulations as will render the contractor and his bondsmen in every case liable to the city for any liability that may incur, or any injury that any person may suffer by reason of the failure to erect and maintain such good and sufficient barricades, guards and signals, or by reason of any negligence of the contractor, his agents or employees, during the performance of any contract or before the warrants to become due on the contract shall have been delivered, the city and its officials may withhold payments so long as they shall deem necessary for the indemnity of the city. Such contracts shall also contain a provision that when the contractor shall remove any earth from any street, alley or other public place, the same shall, when replaced, be solidly tamped, and shall make such further rules and regulations in the said city's behalf as will insure full protection to the city from loss or liability, and make such further stipulations in such contracts as will insure the city from all loss or liability that may arise by reason of carelessness and all negligence of such contractors, their agents or servants.

## SECTION 621. SPECIFICATION. ADVERTISEMENTS.

Before any new improvements are made which are to be paid for out of the general funds of the city, the city council shall cause plans and specifications to be prepared and an estimate of the costs made. If the estimated costs does not exceed \$6,000.00, the improvement may be made without publication of notice and advertising for bids, but if the estimated costs exceeds \$6,000.00, a contract must be let after publication of notice for at least five days in a newspaper of general circulation published in Park City, provided, that if the plans and specifications of any single improvements, the estimated costs of which exceeds \$6,000.00, are divided into parts, no part of such improvement shall be made without first publishing notice and advertising for bids as herein provided, but the city council shall have the right to reject any or all bids received and all notices calling for bids shall so state. In case bids are called for as provided in this section and the proposals received shall exceed the estimate of the cost of making the improvement all bids shall be rejected and the city council shall advertise anew in the same manner as before. If, after twice advertising as herein provided, no bid shall be received which is satisfactory and less than the estimated costs of such improvement, the city council may proceed under its own direction to make the improvement. Nothing in this section shall be construed to require bids to be called for, or contracts let, for the conduct or management of any of the departments, business or property of Park City or for lowering or repairing water mains or sewers or making connections with water mains or sewers or for the grading, repairing or maintenance of streets, sidewalks, bridges, culverts or conduits.

## SECTION 622. LAYING UNDERGROUND MAINS BEFORE PAVING.

Prior to the paving of any street, all underground mains, pipes and conduits together with necessary connections of the curb lines, that should be laid in order to avoid the cutting of the pavement, shall be laid. Whenever the city council shall have ordered the paving of any streets, any person having a franchise from the city for the laying of underground mains or conduits, shall be notified by the city water department in writing, which notice shall be delivered at the place of business of said department, to proceed to lay such mains or conduits and connections to the curb line, as may be necessary to avoid cutting of the pavement thereafter, within a reasonable time, to be specified in said notice prior to the laying of the pavement.

## CHAPTER XLIII

## PLUMBING CODE.

## SECTION 623. PLUMBING CODE.

This ordinance shall be known as the Plumbing Code of Park City Utah.

## SECTION 623-A. DEFINITIONS.

For the purpose of this code, the words and phrases used therein are defined to have the following meaning, to-wit:

**APPROVED.** Means approved by the Plumbing Inspector of materials, workmanship and types of construction as the result of investigation, inspections, and tests conducted by him; or by reason of accepted principles or tests by the United States Bureau of Standards, the American Society for Testing Materials, or other nationally recognized authorities.

**BRANCH.** The branch of any system of piping is that part of the system which extends horizontally at a slight grade, with or without lateral or vertical extensions or vertical arms, from the house drain, to receive fixture outlets not directly connected to the house drain.

**BUILDING.** Any structure erected for the support, shelter, and enclosure of persons, animals, chattels, or movable property of any kind.

**CESSPOOL.** A cesspool is any pit or excavation in the ground which receives the discharge of a drainage system having porous walls which permit seepage into the ground.

**CROSS CONNECTION.** A cross connection is any connection between a SAFE water supply and an UNSAFE water source or waste pipes of a plumbing system through which it is possible in any way to contaminate a SAFE water supply.

**DEAD ENDS.** A dead end is a branch leading from a soil, waste, vent or building drain, building sewer, or water distribution system which is terminated at a developed distance of five (5) feet or more by means of a cap, plug or other fitting not used for admission water to the pipe, except that it does not apply to a clean-out on a building sewer.

**DRAIN-BUILDING.** The house drain is that part of the lowest horizontal piping of a house drainage system which receives the discharge from soil, waste and other drainage pipes inside the walls of any building and conveys the same to the house sewer, beginning five (5) feet outside of the building wall.

**DRAIN-ROOF.** A roof drain is a pipe which conveys the storm water from the roof of a building.

**DRAIN STORM WATER.** The storm water drain is any pipe or drain which receives the discharge of rain water from buildings or premises, and may include the discharge of seepage or ground water, but not sewage, and conveys the same to any approved final disposal.

**DRAIN--SUB-BUILDING.** A sub-building drain is that portion of a sanitary drainage system which can not drain by gravity into the house drain.

**DRAIN--SUB-SOIL.** The subsoil drain is that part of a drainage system which conveys the subsoil, ground or seepage water, but not sewage, from the foot of walls or from below the cellar bottom under buildings to the building drain, storm water drain, or building sewer.

**DRAINAGE SYSTEM.** A drainage system or drainage piping shall mean and include all the piping within public or private premises, which conveys sewage, rain water, or other liquid wastes, to an approved point of disposal, but shall not include the mains or laterals of a public sewer system.

**DURHAM SYSTEM.** The Durham system of plumbing is an installation of waste and soil pipes constructed of brass, galvanized wrought iron, galvanized steel or cast iron pipes joined together by means of threaded, recessed drainage fittings.

**DWELLING--PRIVATE.** A private dwelling is understood in this Code to be any building used only for living purposes and occupied by not more than two (2) families.

**DWELLING--RURAL OR ISOLATED.** Rural or isolated dwellings are those dwellings situated at such a distance from a public sewer system that their drainage systems cannot become tributary thereto.

**EFFLUENT.** Effluent is the liquid discharge from a septic tank or other sewage treatment units.

**INSANITARY.** Conditions to which the word "insanitary" shall apply, include the following:

- (a) Any trap which does not maintain a proper seal.
- (b) Any opening in a drainage system, except where lawful, which is not provided with an approved water-sealed trap.
- (c) Any plumbing fixture, or other waste discharging receptacle or device, which is not supplied with water sufficient to flush it and maintain it in a clean condition.
- (d) Any defective fixture, trap or pipe.
- (e) Any trap, except where in this Code exempted, directly connected to a drainage system, the seal of which is not protected against siphonage and back pressure, by a vent pipe.
- (f) Any connection, cross-connection, back construction or condition, temporary or permanent which would permit or make possible, by any means whatsoever, for any unapproved foreign matter to enter a water distribution system.
- (g) Any disposal of sewage into a well, on surface of ground, or in a stream of water.
- (h) The foregoing enumeration of conditions to which the term "insanitary" shall apply, shall not preclude the application of the term to other conditions that are in fact insanitary.

**LEAD AND SOIL SYSTEM.** A lead and soil system of plumbing is an installation of soil and waste pipes constructed of lead and cast iron soil pipes joined together by means of wiped and oaked joints.

**MAIN.** The main is any system of horizontal, vertical or continuous piping which receives the wastes, vents or revents (back vents) from fixture outlets or traps directly, or through branch pipes.

**OWNER.--**shall apply to the person in whose name ownership is held.

**PERSON.--**shall include any natural person, firm, company, partnership, association, or corporation. Singular shall include plural, masculine gender shall include feminine gender.

**PIPE-HORIZONTAL.** Horizontal pipe shall mean any pipe or fitting, which is installed in a horizontal position, or which makes an angle of more than sixty (60) degrees.

**PIPE-WASTE.** A waste pipe is any pipe or fitting which directly conveys the discharge of any plumbing fixture, receptacle, apparatus or device, except water closets, to a soil pipe, house drain or house sewer.

**PIPE--SOIL.** A soil pipe is any pipe which conveys the discharge of water closets with or without the discharges from other fixtures.

**PIPE--WASTE AND SPECIAL WASTE.** A waste pipe is any pipe which received the discharge of any fixture, except water closets or similar fixtures, and conveys the same to the house drain, soil or waste stacks. When such a pipe does not connect directly with a house drain or soil stack, it is termed a special waste.

**PIPE--WATER DISTRIBUTION.** The water distribution pipes are those pipes which convey water from the service pipe to the plumbing fixtures.

**PIPE--WATER SERVICE.** The water service pipe is the pipe from the water main to the curb box, meter, or the point where city or water company responsibility ends.

**PIPE--VERTICAL.** A vertical pipe shall mean any pipe or fitting which is installed in a vertical position or which makes an angle of not more than sixty (60) degrees with the vertical.

**PLUMBER--APPRENTICE.** An apprentice plumber is a person who is learning the trade of plumbing under the immediate supervision and instruction of a journeyman plumber, and whose name is duly registered with the Utah State Department of Registration as an apprentice plumber.

**PLUMBER--JOURNEYMAN.** A journeyman plumber is a person who has passed the examination provided for in Chapter 96, Laws of Utah, 1937 and as amended in Chapter 96, Laws of Utah, 1939, and whose name is duly registered with the Utah State Department of Registration as a journeyman plumber.

**LICENSED PLUMBER,** is any person who has qualified as a registered journeyman plumber under the requirements of the Utah State Board of Registration, and who has duly received a license to do business within the limits of Park City, under requirements of this ordinance.

**PLUMBING FIXTURES.** Plumbing fixtures are approved receptacles intended to receive and discharge water, liquid, or water-carried wastes, into a drainage system with which they are connected.

**PLUMBING INSPECTOR.** When the words "plumbing inspector" are used they shall mean any person charged with the enforcement of the provisions of this Code.

**PLUMBING--SANITARY.** Sanitary plumbing is understood in this Code to denote plumbing so designed and installed that it can be kept clean, is free from defects in construction and conforms in every particular to the provisions of this Code.

**PLUMBING--TRADE OF.** The trade of plumbing is the performing of any mechanical work pertaining to the installation, alteration, change, repair, removal, maintenance and use in buildings or on the premises thereabouts, of the pipes, fixtures, and fittings for bringing in the water supply and removing liquid and water-carried wastes, and every connection discharging, direct or indirect, into the building drainage systems and shall include the water supply, distribution pipes, fixtures and fixture traps, the soil waste and vent pipes, the building drain, roof drains, where installed inside the walls of a building, settling traps, septic tanks and cesspools with their devices, appurtenances and connections.

**ROUGHING-IN.** Roughing-in is the placing of all that part of a drainage system, water distribution pipes, or vent system which can be completed before the plumbing fixtures are installed.

**STACK.** "Stack" is a general term for any vertical line of soil waste, special waste or vent pipe.

**SEPTIC OR SEWAGE TREATMENT TANK.** A septic or sewage treatment tank is a water tight receptacle, so constructed as to promote the separation and decomposition of raw sewage which, by bacterial action, sedimentation and a period of detention, effects a process of clarification and liquification, but does not purify the effluent.

**SEWAGE.** Sewage is any liquid waste containing human, animal, and vegetable wastes in suspension or solution, and may include liquids from laboratories or industrial institutions containing minerals in solution.

**SEWER--BUILDING.** A building sewer is that part of the horizontal piping of a drainage system extending from the house drain to its connection with the main sewer, sewage treatment tank or approved disposal system and conveying the drainage of but one building, unless otherwise stated in this Code.

"SHALL, SHOULD, MAY." The word "shall" when used in this Code is mandatory; "should" is not mandatory, but expresses recommendation; "may" implies neither compulsion, nor recommendation, only permission.

**SIZE AND LENGTH.** The given caliber or size of pipe is for a nominal internal diameter. The developed length of a pipe is its length along the center line of pipe and fittings.

**SUBSURFACE SEWAGE DISPOSAL FIELD.** A subsurface sewage disposal field is that part of the drainage system which receives the liquid discharge from a septic tank or other sewage treatment unit for disposal through a drain tile line laid on a filter bed of gravel. Such disposal field shall be governed by regulation as provided in the Utah State Board of Health bulletin "The Septic Tank."

**TOILET COMPARTMENT.** A toilet compartment is that part of the building which has been set apart and partitioned for installation of toilets. The toilet compartment shall be separated from the rest room or any other part of the building by means of a full height partition or the equivalent.

**TRAP.** A fixture trap is a fitting or device so constructed as to prevent the passage of air or gas through it without materially affecting the flow of sewage or waste water through it.

**TRAP--SAND, SETTLING TANK, SUMP.** A sand trap, settling tank or sump is a water tight receptacle, so designed and constructed as to intercept and prevent the passage of solids or other objectionable matter into the drainage system to which it is directly or indirectly connected.

**VENT--CONTINUOUS.** A continuous vent is a pipe extending vertically above the soil or waste branch.

**TRAP SEAL.** The trap seal is the vertical distance between the crown weir and the depth of the trap.

**VENT--CIRCUIT.** A circuit vent is a pipe which vents a series of fixture traps on the same soil or waste branch and which is continued through the roof or reconnected into a vent stack above all fixture trap branches.

**VENT--CONTINUOUS WASTE AND.** A continuous waste and vent is a vertical soil or waste pipe terminating at its upper end in a tee-shaped fitting having a ninety (90) degree branch, to which a fixture trap may be connected, the top of which fitting continues vertically as a vent pipe to serve the trap.

**VENT--REVENT.** A revent, or back vent, is that part of a vent pipe line which connects directly with an individual trap, underneath or back of the fixture, and extends either to the main or branch vent pipe.

**VENT PIPE.** A vent pipe is any pipe provided and so installed as to ventilate a building drainage system and to prevent trap siphonage and back pressure.

**VENT--RETURN OR LOOP.** A return vent is an inverted emergency vent extended above the water line of the fixture and returned back to a point of connection with the horizontal run of the waste pipe from the fixture served on the sewer side of the branch waste from the fixture.

**VENT STACK.** A stack vent is a pipe connecting to the side inlet of a crow foot fitting venting a water closet.

**VENT--SOIL.** A soil vent is any pipe and fittings which receives the discharge from one or more toilets and serves as a combined soil and vent pipe.

**VENT--UNIT.** A unit vent is one which denotes an installation so arranged that one pipe will serve two traps.

**VENT--WASTE.** A waste vent is that part of a stack which extends above the highest installed fixture trap other than a water closet.

**VENT--WET.** A wet vent is a pipe used to vent a trap which is also used as a waste pipe from another fixture or trap.

**WIPING A JOINT.** Wiping a joint is a method of joining together two pieces of metal, to which the solder is applied on the joint to a uniform heat sufficient to attain a smooth, neatly-wiped finish, and having a thickness of solder over that part of the joint where the metals join of not less than one-fourth ( $\frac{1}{4}$ ) inch.

#### SECTION 624. LICENSE.

Bond required. Except as otherwise provided for in this ordinance, it shall be unlawful for any person to do any kind of plumbing work or other work regulated in this ordinance unless he is licensed as herein provided for and gives bond as herein provided.

#### SECTION 624-A.

Before the license mentioned in the preceding section shall be issued the applicant must exhibit to the city council of Park City, or its duly authorized representative, a certificate of registration showing that such applicant has complied with Chapter 96, Laws of Utah, 1937, relating to plumbers. Applicants engaged solely in a general plumbing business who employ licensed journeymen to perform the plumbing work for such business may be licensed as herein provided upon filing with the said council, or its representative, an affidavit to that effect.

## SECTION 625. PLUMBER'S LICENSE. BOND. AMOUNT.

The yearly license fee for plumbers shall be Twenty Five (\$25.00) Dollars for said year, or any part thereof, and the license may be issued upon payment of said sum and upon giving a bond in the sum of Ten Thousand (\$10,000.00) Dollars, indemnifying the Town against any liability caused thru negligence of the plumber in the performance of his work. Said bond shall contain a further condition for the faithful observance of any ordinances, rules and regulations of this Town relating to plumbing work and other work as herein regulated.

## SECTION 625-A.

The license of any licensee provided for in this ordinance, may be revoked by the City Council after notice and hearing and/or opportunity to be heard for violation of the plumbing ordinance, incompetency, fraud, deceit and/or for any other reason which the said Council may deem good and sufficient.

No refund of the license fee or any part thereof shall be allowed. All permits outstanding under a revoked license shall become void. No person whose license has been revoked shall be relicensed without special permission of the said Council. The revocation penalty shall not be a bar to or affect any other penalty prescribed for violation of the plumbing ordinance.

## SECTION 626. PERMITS REQUIRED.

Except as otherwise provided by this ordinance no plumbing work shall be begun without a permit having first been obtained therefor from the division of plumbing inspection and a permit to do plumbing work shall not be issued to any person other than a duly licensed plumber.

## SECTION 626A. PERMITS NOT TRANSFERABLE.

It shall be unlawful for any licensed plumber to use his license or to allow his license to be used in any way for the purpose of procuring a permit for any person other than himself. The license of any licensee who violates this section shall be subject to revocation.

## SECTION 627. PERMITS REVOKED OR REFUSED.

The plumbing inspector may revoke a permit issued to any person who fails, neglects or refuses to do the work in conformance with this ordinance for which work a permit was issued to him and a permit to do other plumbing work may be refused such person during the time he fails to do the work in conformance with this ordinance for which work a permit was issued to him, provided, that any person affected may appeal to the City Council.

## SECTION 627A. PERMITS MUST BE PROCURED BEFORE STARTING WORK.

If any work regulated by the plumbing ordinance for which work a permit is required be commenced without a permit first having been obtained therefor, double the permit fees herein prescribed shall be paid when a permit is finally obtained. Payment of any fee mentioned in this section, however, shall in no way relieve any person of the penalties that may be imposed for the violation of the plumbing ordinance.

## SECTION 628. PERMITS NOT REQUIRED. EXCEPTIONS.

Permits are not required to clean out or remove stoppage from traps, soil, waste and vent pipes and/or for repairs or maintenance of faucets, valves, roof drains and water supply pipes or extensions thereof.

Permits shall be procured to repair or replace traps, soil, waste and vent pipes, unless waived by the plumbing inspector.

It shall be unlawful, however, for any person other than a duly licensed plumber to engage in the business of doing the class or work mentioned in this section in a capacity or status of service to the public.

It shall be unlawful for any person other than a duly licensed plumber to indicate by the display of any sign or advertisement that he is permitted to engage in the class of work mentioned in this section or to serve the public in any work governed by the plumbing ordinance.

## SECTION 628-A. PERMIT FEES.

Before a permit shall be issued, permit fees as follows shall be paid to the City Treasurer, or his duly authorized representative, provided that the minimum permit fee shall in no case be less than \$1.50 for each permit issued:

One to five fixtures, inclusive, roughed-in for or installed or changed in location	\$1.50
Each additional fixture roughed-in for or installed or changed in location	.50
Change or alteration or replacement of soil, waste, or vent pipe.	.50
Each roof drain installed inside the building	.25
Each septic tank, cesspool or settling trap	1.00
Each mechanical refrigeration drain and each air conditioning apparatus connected either direct or indirect to the building drainage system.	1.00
Each survey of sewer line from the house outlet to the street main	3.50
Each sewer line inspection fee	1.00
Each street opening permit.	2.50

## SECTION 629. PERMIT SCOPE LIMITED.

Any plumbing work not completed by a licensed plumber under the permit issued to him for the said work and the work in question is added to or completed by one or more licensed plumbers, each licensed plumber shall procure a permit covering the work he performs.

## SECTION 629 A

The City Council of Park City, may appoint a Plumbing Inspector, or Plumbing inspectors, as in their opinion they shall deem necessary, and may fix the salary, or fees of said Plumbing Inspector or inspectors, said Plumbing Inspector, or Inspectors, to have the power, under the direction of the City Council of Park City to carry out the provisions of this ordinance.

## SECTION 630. DIVISION OF PLUMBING INSPECTION.

All plumbing work as regulated by the plumbing ordinance and all plumbing work not specifically governed by the said ordinance shall be subject to the approval of the plumbing inspector.

Where structural conditions are extremely adverse to full compliance with the plumbing regulations the plumbing inspector may grant special permission to deviate from the regulations, provided that in the judgment of the plumbing inspector such deviation does not create an unsafe or insanitary condition and provided further that no such deviation shall be allowed in buildings in course of construction

Such inspector shall have right of entry within reasonable hours to any building or premise for the purpose of inspection or to investigate any work or conditions governed by the plumbing ordinance and he is hereby empowered to condemn and order repaired, removed, replaced or changed, any plumbing found in an insanitary condition or not in accordance with the plumbing ordinance.

It shall be unlawful for any owner, agent or occupant of any building or premises to fail, neglect, or refuse to repair, remove, replace or change within 10 days after notice so to do from the plumbing inspector any plumbing condemned by such inspector.

A sink or other fixture shall be provided as required by the plumbing inspector where ver a water closet is installed

## SECTION 630 A . PLUMBING TESTS REQUIRED.

Before the fixtures are connected to the building drainage system all openings shall be closed and the piping system filled with water, provided that an air test may be applied in lieu of a water test. The piping system may be tested in sections provided a water-head of 10 feet or more shall be applied in each sectional test or a uniform air pressure of 15 pounds or more be maintained for 15 minutes or more. The air pressure shall be determined by means of a mercury gauge. The entire drainage and vent system shall be made water-tight or air-tight as the case may be. Any material proven defective shall be replaced with sound material and the test repeated if deemed necessary by the plumbing inspector. Roof drains installed within the walls of a building shall be tested as required for the plumbing system. All devices for testing purposes shall be furnished by the plumbing contractor.

## SECTION 631. INSPECTION REQUIRED.

The water supply distribution system shall be installed and ready for inspection when inspection of the drainage and vent system is called for or made. Notice to inspect shall be given as soon as the

installation of the drainage, vent and water supply system permits. After notice that any such systems are ready for inspection and the plumbing inspector calls at the place designated to make such inspection and finds the work not ready for inspection he shall collect an additional inspection fee of \$1.00 for each additional inspection required.

SECTION 631 A. TAGGING, CERTIFICATION.

Upon the satisfactory completion and final inspection of the plumbing a tag or sticker of approval shall be attached to the system or work in a conspicuous place and upon request, a certificate of approval may be issued by the plumbing inspector.

SECTION 632. UNLAWFUL TO VIOLATE.

It shall be unlawful for any person to violate or cause to be violated any provision of this ordinance.

SECTION 632 A.

Any person violating or causing to be violated any provision of this ordinance shall, upon conviction thereof be punished by a fine in any sum less than \$50.00 .

SECTION 633. VALIDITY.

If any section, subsection, sentence, clause or phrase of this ordinance is, for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council of Park City hereby declares that it would have passed this ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.

SECTION 633A GRADES AND SUPPORTS OF HORIZONTAL PIPING.

All horizontal piping shall be run at a uniform grade of not less than one-eighth (1/8) of an inch per foot, and shall be supported or anchored at intervals not to exceed ten feet with the exception of cast iron soil pipe which shall be supported or anchored every 5 feet. All stacks shall be supported at their base and all pipes shall be rigidly secured.

SECTION 634. CHANGE IN DIRECTION.

All changes in direction shall be made by the appropriate use of forty-five degree ells, wyes, half wyes, long sweep quarter bends, sixth, eighth, or sixteenth bends, sanitary tees, side opening sanitary tees and quarter bends. A sanitary cross shall be used on vertical stacks not less than four inches in diameter for floor outlet fixtures only. Short quarter bends may be used only where the change of direction of the flow is from the horizontal to the vertical and in lieu of closet bends, by means of lead soil stubs. Tees, crosses and quarter bends may be used in vent pipes.

## SECTION 634 A. PROHIBITED FITTINGS.

No double hub, tee, double tee or quarter bend with heel inlet shall be used on soil or waste lines. permission shall be secured for the use of twin ells. The drilling and tapping of house drains, main, soil or waste pipes and the use of saddle hubs and bands for waste and vent connections, Raymond ferrules, drive ferrules or similar ferrules are strictly prohibited.

## SECTION 635 DEAD ENDS.

Dead ends shall be avoided in the installation of any drainage or system except where necessary to extend a cleanout so as to be accessible.

## SECTION 635 A. PROTECTION OF MATERIALS.

All pipes passing under or through walls shall be protected from breakage. All pipes passing through or under cinders, concrete or other corrosive materials shall be protected from external corrosion in an approved manner.

## SECTION 636. HORIZONTAL TO HORIZONTAL.

Horizontal drainage lines intersecting with other horizontal drainage lines shall enter through forty-five degree "Y" branches, Sixty degree "Y" branches, or combination "Y" and one-eighth bend branches, preference being given in the order named, unless due to structural condition.

## SECTION 636 A. VERTICAL TO HORIZONTAL.

Vertical drainage lines intersecting with horizontal drainage lines shall enter through forty-five degree "Y" branches, combination "Y" and one-eighth bend branches, combination "Y" and one-eighth bend branches. Preference being given in the order named unless impractical due to structural conditions.

## SECTION 637 . QUARTER BENDS.

Long sweep quarter bends may be used when the direction of flow changes from horizontal to vertical.

## SECTION 637 A. DRAIN PIPES NOT LESS THAN FIVE FEET FROM WALL.

Drainage pipes used for house drain or house sewer, when constructed of tile or any other material allowing leakage, shall be situated not less than five feet from the wall of any building, when laid parallel with, or in the same direction of, said wall. If less distance is unavoidable, cast iron soil pipe shall be used.

## SECTION 638. FIXTURES TO BE TRAPPED AND VENTED WHEN CONNECTED TO SEWER.

All fixtures shall be trapped and vented to meet requirements of this code whenever connections are made to the sanitary sewer system.

## SECTION 638 A. DRAIN PIPES UNDER BUILDING.

No pipes other than cast iron shall be installed under the ground when used for soil, waste or vent.

## SECTION 639. SUBSOIL DRAINS.

Where subsoil drains are used the same shall be equipped with a backwater trap before entering the house drain or house sewer.

## SECTION 639 A. DIRECT CONNECTIONS.

Except as otherwise provided by this Code every plumbing fixture installed shall be connected direct to the building drainage system.

SECTION 640. ALL FIXTURES AND MATERIALS USED IN ANY DRAINAGE SYSTEM OR PLUMBING SYSTEM SHALL BE SOUND AND FREE FROM DEFECTS, and in case of pipe and fittings shall Conform to the American Society of Testing Materials standard specifications for the respective classes.

## SECTION 640 A. CAST IRON PIPE.

All cast iron pipe and fittings installed shall be sound, free from defects and of uniform thickness, and thoroughly coated inside and outside with asphaltum or coal tar pitch. All Extra heavy cast iron pipe and fittings shall be marked "EXTRA HEAVY ." or an abbreviation thereof cast in distinct letters, and shall have a wall thickness of not less than one-fourth inch and shall weigh not less than prescribed in the following table.

## EXTRA HEAVY CAST IRON PIPE.

Diameter of pipe.	Weight per foot.
2-inch-----	5 pounds
3-inch-----	9 pounds
4-inch-----	12 pounds
5-inch-----	15 pounds
6-inch-----	19 pounds

## SECTION 641 SHEET LEAD.

Sheet lead shall weigh not less than four pounds per square foot.

## SECTION 641 A. LEAD PIPE, BENDS AND DRUM TRAPS.

All lead drain pipe, bends, and traps shall be of best quality and of not less weight per linear foot than prescribed in the following table.

1 inch--	2 pounds, 8 ounces.
1 $\frac{1}{4}$ inch--	3 pounds.
1 $\frac{1}{2}$ inch--	4 pounds, 4 ounces.
2 inch--	6 pounds,
4 inch--	8 pounds.
Lead bends--	8 pounds.
Drum Traps--	8 pounds.

SECTION 642. CALKING FERRULES.

Brass ferrules shall be of the best quality red cast brass not less than four and one-half inches long and two and one-quarter, three and one-quarter, three and one-half, and four and one-half inches in diameter. Seamless copper ferrules may be used in lieu of cast brass, provided they correspond in size and weight.

SECTION 642 A. THREAD FITTINGS.

- (a) Plain screwed vent fittings shall be of cast iron, galvanized malleable iron, or brass, and of standard weight dimensions.
- (b) Drainage fittings shall be cast iron or brass with smooth interior waterway with threads tapped out of solid material.
- (c) All malleable fittings used for water supply distribution shall be galvanized.
- (d) All malleable fittings shall BE galvanized.

SECTION 643. SOLDERING NIPPLES, VENT COUPLINGS AND BUSHINGS.

Soldering nipples shall be of heavy cast brass or brass pipe, iron pipe size. Vent couplings shall be heavy ground faced cast brass.

SECTION 643 A. FLOOR FLANGES FOR WATER CLOSETS, SLOP SINKS AND URINALS, shall not be less than one-fourth of an inch thick and weigh not less than one pound and shall be of best quality red cast brass. Closet screws and bolts shall be of brass.

SECTION 644. NEW MATERIALS.

Any other material than that specified in this code, which the Plumbing Inspector approves as being equally efficient may be permitted.

SECTION 644 A. WATER AND AIRTIGHT JOINTS.

All joints and connections mentioned under this Code shall be made permanently gas and water tight.

SECTION 645. VITRIFIED PIPE.

All joints in vitrified clay or between vitrified clay pipes and metal pipe, shall be made with an approved compound or material. No surplus compound or material or other foreign material shall project into the pipe from the joints.

SECTION 645A. CALKED JOINTS.

All calked joints shall be firmly packed with oakum or hemp and shall be secured with moulten lead, not less than one inch deep, well calked, and no paint, varnish or putty will be permitted until after the joint is tested.

## SECTION 646. SCREW JOINTS.

All screw joints shall be American screw joints and all burrs or cuttings shall be removed.

## SECTION 646 A. CAST IRON.

Cast iron joints may be either calked or screw joints made in the approved manner.

## SECTION 647. WROUGHT PIPE OR BRASS PIPE TO CAST IRON.

Connection between wrought iron steel or brass pipe to cast iron pipe shall be calked or screw joints made in the approved manner. In case of reduced connection, a tapped reducer having a wall thickness of not less than one-fourth inch shall be used. The use of cleanout bodies for this type of connection is prohibited.

## SECTION 647 A. LEAD, BRASS OR COPPER JOINTS,

Joints in lead pipe or between lead pipe and brass or copper pipe ferrules or soldering nipples shall be full wiped joints.

## SECTION 648. LEAD PIPE TO CAST IRON OR WROUGHT IRON.

Brass ferrules or soldering nipples shall be used in making joints between lead and iron pipe.

## SECTION 648 A. SLIP JOINTS.

All slip joints in waste, vent or water pipe and flush pipe shall be permanently exposed and accessible.

## SECTION 649. LONG SCREWS.

Long screws shall be installed only on vent pipe when given water test.

## SECTION 649 A. ROOF JOINTS.

The joint at the roof shall be made tight by means of sixteen ounce copper, twenty-four ounce galvanized iron or six pound sheet lead flashing.

## SECTION 650. FLOOR CONNECTION FOR WATER CLOSET, PEDESTAL URINALS, FLOOR OUTLET SINKS AND SIMILAR FIXTURES.

Connections to cast iron pipe shall be made by means of a heavy cast brass flange weighing not less than one pound, securely soldered to lead pipe and bolted to the fixture with brass bolts. A heavy cast brass or iron flange weighing not less than one pound shall be used in connection with screw pipe. Pure linseed oil putty or other approved material shall be used to assure a water tight joint between flange and fixture.

## SECTION 650 A. INCREASERS AND REDUCERS.

Where different sizes of pipes and fittings are to be connected, proper size increasers or reducers shall be used.

## SECTION 651. PROHIBITED JOINT AND CONNECTIONS

Any fitting or connection which has a chamber or recess with a ledge shoulder, or reduction of the pipe area in the direction of the flow, which would obstruct or retard the flow on the outlet or drain side of any tap is prohibited. No putty or similiar material shall be used in a slip joint connection.

## SECTION 651 A. EXPANSION JOINTS.

Connections of wall hanger, pipe supports or fixtures settings with masonry, stone or concrete, shall be made with expansion bolts without the use of wooden plugs.

## SECTION 652. TUBING AND SOLDER BUSHINGS.

Connections between brass tubing traps and solder bushings shall be wiped joints or solder cupjoints.

## SECTION 652 A. USE OF TAPPED SPIGOT.

A full size brass or cast iron drainage coupling shall be used as an increaser, when a  $1\frac{1}{2}$  inch diameter pipe is to be calked into a two inch hub.

## SECTION 653. SHOWER BATH TRAPS, VENTS, LEAD SAFETY PAN.

Every shower bath trap installed shall be vented. More than one shower trap in battery formation on the same horizontal waste branch may be vented by means of a single combined waste and vent pipe provided such combined waste and vent pipe shall not be less than two inches in diameter. All shower traps installed in any floor other than a basement floor shall be of the dual drainage type and fitted with a lead safety pan of a weight not less than four pounds per square foot. Such pan must cover the entire floor of the shower stall and extend up the walls of the stall at least six inches and such pan must be coated on both sides with asphaltum or coal tar pitch. Shower traps located in a basement floor shall be installed as required in this ordinance for floor drain traps.

## SECTION 653 A. TRAPS FOR LAVATORIES, SINKS AND SIMILAR FIXTURES.

Traps for lavatories, laundry trays, sinks and tubs shall be of lead, brass or cast iron, except that brass or cast iron drum traps only may be used where the trap is imbedded in concrete or where the Durham System is installed. Shower traps or floor drains shall be used for shower baths.

The minimum size (nominal inside diameter) of trap and waste branch for a given fixture shall not be less than shown in the following table,

Bath Tub--4x8 in. drum trap-- $1\frac{1}{2}$  inch waste branch.  
 Bath Shower Stall--4x8 in. or 2 in. floor drain trap-- $1\frac{1}{2}$  in. or 2  
 inch waste branch.  
 Bath sitz--4x8 in. drum trap-- $1\frac{1}{2}$  inch waste branch.  
 Bath Foot--4x8 in. drum trap-- $1\frac{1}{2}$  inch waste branch.  
 Drinking Fountain-- $1\frac{1}{4}$  in. trap-- $1\frac{1}{4}$  inch waste branch.  
 Dental Cuspidors--4x8 in. drum trap-- $1\frac{1}{4}$  inch waste branch.  
 Floor drains--2 in. trap--2 inch waste branch.  
 Laundry Trays--4x8 in. drum trap-- $1\frac{1}{2}$  inch waste branch.  
 Sink, Kitchen Residence-- $1\frac{1}{2}$  inch trap-- $1\frac{1}{2}$  inch waste branch.  
 Sink, Hotel or Public--2 in. trap--2 inch waste branch.  
 Sink, Small Pantry-- $1\frac{1}{4}$  inch trap-- $1\frac{1}{4}$  inch waste branch.  
 Soda Fountain, bar--4x8 Inch drum trap-- $1\frac{1}{2}$  inch waste branch.  
 Sink, Slop with trap combined-- 2 inch trap--2 inch waste branch.  
 Sink, Slop, Ordinary-- $1\frac{1}{2}$  inch trap-- $1\frac{1}{2}$  inch waste branch.  
 Urinal, lip-- $1\frac{1}{2}$  inch trap --  $1\frac{1}{2}$  inch waste branch.  
 Urinal, Trough-- $1\frac{1}{2}$  inch trap-- $1\frac{1}{2}$  inch waste branch.  
 Urinal, Pedestal--3inch trap--3 inch waste branch.  
 Urinal, Stall--2 inch trap--2 inch waste branch.  
 Wash Basin-- $1\frac{1}{4}$  inch trap-- $1\frac{1}{4}$  inch waste branch.  
 Water Closet--3 inch trap--4 inch waste branch.

#### SECTION 654. TRAPS PROHIBITED.

No form of trap which depends for its seal upon the action of movable parts, concealed interior parts or made of fittings, shall be used for fixtures. The use of bell traps is strictly prohibited.

#### SECTION 654 A. TRAPS, WHERE REQUIRED,

Each fixture shall be separately trapped by a water seal trap placed not more than thirty six inches from the fixture outlet opening, and when so placed the waste pipe on the house side of the trap shall be so arranged that it will completely drain.

#### SECTION 655. TRAP SEALS.

Every trap, except sand traps and similiar intercepting traps, shall have a water seal of not less than  $2\frac{1}{2}$  inches, and not more than four inches. All traps shall be set true with respect to their water seals.

#### SECTION 655A. PIPE CLEANOUTS.

Cleanouts shall not be less in size than the pipe served, up to four inch pipe. Cleanouts for screw pipe and fittings shall be heavy cast brass plugs with a solid wrench shoulder, not less than one inch thick and one inch high. Cleanouts for calked pipe shall be separate fittings and the body of such cleanouts shall not be less than one-fourth inch thick. The plug for such cleanout body must be of cast brass at least three-sixteenths inch thick with standard threads and a wrench shoulder as above described. All cleanout plugs must be made water tight without the use of any substance which renders the plug difficult to remove. Cleanouts shall be installed in the building drainage system at all right angle or  $90^{\circ}$  changes in direction and at the end of all horizontal lines of soil, waste, and drain pipes, except concealed short branches

which do not exceed fifteen feet developed length, provided every change in direction is made by the appropriate use of forty-five degree, sixty degree, or long sweep, ninety degree fittings, and provided further that the location and number of cleanouts required in each installation of soil waste, and vent pipes shall be subject to the approval of the plumbing inspector.

SECTION 656. GREASE TRAPS REQUIRED.

Grease traps shall be constructed as to intercept and clarify greasy waste to the extent that the drainage system and the public sewer system will be protected against grease corrosion. The size, capacity and construction of grease traps shall be subject to approval of the Plumbing Inspector. All sink, dishwashing machines and other similar fixtures used where an unusual amount of greasy waste is produced and discharged into a public sewer or septic tank shall be connected with grease traps.

SECTION 656 A. KIND AND MINIMUM SIZE.

Every trap, except sand traps and similar intercepting traps, shall be self cleaning. Traps for bath tubs, showers, wash basins, sinks, urinals, laundry tubs, hoppers, floor drains, drinking fountains, dental units and other similar fixtures shall be of lead, brass or cast iron.

The minimum size (nominal inside diameter) of the trap for a single given fixture shall be not less than that shown in the table of trap sizes. No trap shall be smaller in size than the outlet it serves and shall be provided with a cleanout.

SECTION 657. FLOOR DRAIN TRAPS. BACK WATER VALVE.

All floor drain traps installed in basement floors or in the ground floors of buildings where the building drain is not constructed in or under a basement floor, shall be equipped with a back-water valve of brass or bronze metal, and such valve shall be accessible for repairs or replacement by means of a threaded cast brass cleanout plug finished flush with the floor.

All such traps must have a waterseal of at least four inches. All such traps installed more than fifteen feet from building drain shall be vented and the diameter of such vent pipe must be at least one and one-half inches, provided that more than one such trap installed on the same waste pipe shall be vented by means of a vent not less than two inches in diameter installed from the end of such waste pipe and continued through the roof in accordance with vent regulations.

SECTION 657 A. QUALITY OF WATER.

The quality of the water supply shall conform to the standards of purity established by the Utah State board of Health.

SECTION 658. DISTRIBUTION OF WATER SUPPLY.

The water supply for drinking or domestic purposes shall be distributed through a piping system entirely independent of any piping system conveying another water supply which is not approved for drinking purposes.

## SECTION 658 A. WATER SUPPLY DISTRIBUTION PIPES.

All water supply distribution pipes must be run in practical alignment, firmly secured and installed in such manner as to assure complete drainage of the entire distribution system. Due care must be exercised to avoid freezing conditions. Water pipes must not be plastered in, or otherwise installed in an outside wall, unless protected from frost. Control valves or stop cocks shall be placed and maintained in accessible locations in all water distribution systems and such valves or cocks must not be of the metal core type. The water supply distribution system shall be installed and ready for inspection when inspection of the drainage and vent system is called for and made. All ends in water supply piping must be reamed fullsize.

## SECTION 659. WATER SUPPLIES TO FIXTURES. VACUUM BREAKER.

All plumbing fixtures shall be provided with a sufficient supply of water to keep them in a sanitary condition. Every water closet, pedestal urinal or similar fixture shall be flushed by means of an approved tank or flush valve (Flushometer) of at least five gallons capacity for water closets and at least two gallons for urinals, and the water from said tank or flush valve shall be used for no other purpose.

No water closet, urinal or similar fixture shall be supplied from water system through a flushometer or similar device unless the same is equipped with an approved vacuum breaker or device placed above the rim of the fixture which it serves and be supplied with a stop valve on the house side of the supply to the same.

## SECTION 659 A. CROSS CONNECTIONS PROHIBITED.

No cross connection between a safe water supply and a house drain or house sewer, plumbing fixture, or any appurtenances thereto, shall be installed, and all now existing shall be discontinued.

## SECTION 660. CONNECTION BETWEEN WATER SUPPLY AND SWIMMING POOL.

No physical connection shall be made between a portable water supply and the recirculation system of a swimming pool. Any inlets connected directly from the public water system to the pool shall enter above the maximum level in the pool or shall be equipped with a suitable device to prevent back-siphonage in the event a vacuum should occur in the water main.

SECTION 660 A. MATERIALS OF WATER PIPE AND FITTINGS.

All water service and distribution pipes shall be of lead, galvanized wrought iron, galvanized steel, brass, copper, or cast iron with brass, copper, galvanized iron or galvanized or malleable iron fittings. No pipe or fittings shall be used for the distribution of water which has been used for purposes other than water distribution.

## SECTION 661. RELIEF VALVES.

Wherever a check valve or pressure reducing valve is installed on the cold water house supply, there shall be a substantial relief valve installed on the water line, where practical.

## SECTION 661 A. WELL WATER PUMPS AND HYDRANTS.

All pumps and hydrants, together with their piping and connections, shall be installed so as to prevent the possibility of the entrance of surface water or any other means of contamination. Water service pipe shall not be smaller than three-fourths inch in diameter.

## SECTION 662. LOCATION OF WATER COOLER, AERATORS, REFRIGERATORS, OR OTHER DEVICES.

No water cooler, aerator, refrigerator, or other device or fixture used for storage of food or water or cooling of water shall be installed directly under any waste line carrying sewage. Neither should such water coolers, aerators, refrigerators, or other devices or fixtures be placed in any location where it is possible by means of dripping or overflowing of waste pipes to contaminate or pollute any food or water.

## SECTION 662 A. BACK SIPHONAGE AND BACK PRESSURE.

No fixture shall be supplied with water through any valve or other device unless such valve or device is set above the extreme overflow rim of the fixture that it serves, in such a manner as to prevent any possibility of polluting or contaminating the water supply, either by gravity flow, siphonage, backpressure or by any other means.

## SECTION 663. Plumbing fixtures. MATERIALS.

All receptacles used as water-flushed toilets and urinals, or otherwise for the disposal of human excreta, shall be of vitrified earthenware or cast iron, porcelain enameled on the inside. All other plumbing fixtures shall be constructed of glazed porcelain, vitreous china, porcelain enameled cast iron, or other materials of equal quality, provided, however, that the plumbing inspector may approve of, and permit the installation of fixtures and fittings that are constructed of materials other than set forth in the ordinance, when it is known that those herein required would not be practical, due to uses out of the ordinary.

## SECTION 663 A. PROHIBITED FIXTURES.

- (a) Wooden or concrete sinks.
- (b) No sheet metal lined wooden bath tubs or other fixtures which may create an insanitary condition shall be installed or re-connected.
- (c) Frost-proof or hopper closets, porcelain enameled cast iron water closets and galvanized iron trough urinals.
- (d) Pan and valve plunger, offset washout, long hopper, or other type of water closet having invisible trap seals or unventilated spaces, or surfaces not thoroughly washed at each flush, shall not be installed.
- (e) Dry or chemical closet where food is stored, prepared or served.

SECTION 634. FIXTURE STRAINERS. All fixtures other than water closets and syphon washdown, or pedestal urinals shall be provided with approved metallic strainers.

SECTION 664A. SHOWER DRAINS. A shower drain shall be considered a fixture.

SECTION 665. UTILITY OPENINGS. A utility opening for inspection and repairs shall be provided where the waste, trap and supplies are concealed on built-in bathtubs and similar fixtures.

SECTION 665 A. VENTILATING WHERE FIXTURES ARE INSTALLED. No plumbing fixture shall be installed in any room or compartment which does not contain a window or ventshaft of not less than four inches by fourteen inches in size, or which is not otherwise provided with proper ventilation. All ven pipes, shafts or ducts shall be of fire proof material.

SECTION 666. VENTILATING PIPE HOW CONSTRUCTED. Ventilating pipes from fixtures shall be separate and distinct and have no connection whatever with the other ventilating ducts or pipes in the building and be of fire-proof material.

SECTION 666A. GAS WATER HEATERS. VENTS. No gas water heaters shall be installed, or if installed, shall be permitted to remain in any bath room, toilet room or shower room.

SECTION 667. SOIL, WASTE AND VENT PIPES. MATERIAL.

All main and branch soil, waste and vent pipes, within a building and five feet outside, shall be of cast iron, galvanized steel, or wrought iron, lead or brass, except that no galvanized steel or wrought iron pipe shall be used for underground soil or waste pipes.

SECTION 667 A. SOIL AND WASTE STACKS. Every building in which plumbing fixtures are installed shall have a soil or waste stack, or stacks, extending full size through the roof as required by this Code. Soil and waste stacks shall be run as direct as possible. The required size of a soil or waste stack shall be determined from the distribution and total of all fixtures connected to the stack in accordance with the following table:

1 to 2 fixtures,	4 inch soil and waste pipe required.
3 to 11 fixtures,	4 inch soil and waste pipe required.
12 fixtures,	4 " waste pipe required
13 to 50 fixtures	4 " soil and waste pipe required.
51 to 100 fixtures	6 " soil and waste pipe required.
101 or more fixtures	8 " soil and waste pipe required.

SLOP SINK WITH TRAP COMBINED.

1 TO 2 fixtures,	2 inch soil and waste pipe required
3 to 6 fixtures,	3 inch soil and waste pipe required
7 to 15 fixtures	4 inch soil and waste pipe required
16 to 36 fixtures,	5inch soil and waste pipe required
37 to 64 fixtures,	6inch soil and waste pipe required

SINKS, BATH TUBS, LAUNDRY TRAYS, ORDINARY SLOP SINKS, SMALL SINGLE URINALS AND SHOWER BATHS:

1 to 2 fixtures  $1\frac{1}{2}$  inch soil and waste pipe required.  
 3 to 8 fixtures, 2 inch soil and waste pipe required.  
 9 to 18 fixtures  $2\frac{1}{2}$  inch soil and waste pipe required.  
 19 to 25 fixtures, 3 inch soil and waste pipe required.  
 26 to 30 fixtures  $3\frac{1}{2}$  inch soil and waste pipe required.  
 31 to 100 fixtures, 4 inch soil and waste pipe required.

DRINKING FOUNTAINS, WASH BASINS, BUBBLERS, REFRIGERATORS.

1 to 2 fixtures,  $1\frac{1}{4}$  inch soil and waste pipe required  
 3 to 8 fixtures,  $1\frac{1}{2}$  inch soil and waste pipe required.  
 9 to 25 fixtures 2 inch soil and waste pipe required,  
 26 or more fixtures, 3 inch soil and waste pipe required.

FLOOR DRAINS

1 fixture, 2 inch soil and waste pipe required  
 2 to four fixtures, 3 inch soil and waste pipe required  
 5 to 8 fixtures, 4 inch soil and waste pipe required  
 9 to 36 fixtures, 6 inch soil and waste pipe required

Soda Fountains, bar connections:

$1\frac{1}{2}$  inch to 3 inch soil and waste pipe required

Long Trough, Pedestal, Combined trap and Porcelain Stall Urinals:

1 fixture,  $1\frac{1}{2}$  inch soil and waste pipe required.  
 2 to four fixtures, 2 inch soil and waste pipe required  
 5 to ten fixtures, 3 inch soil and waste pipe required  
 11 to 25 fixtures, 4 inch soil and waste pipe required  
 26 or more, 5 inch soil and waste pipe required.

SECTION 668. BUILDING DRAIN. Beginning five feet outside the foundation wall, and continuing to the highest waste connection to the highest waste connection. All soil pipe shall be extra heavy.

SECTION 668 A. CHANGING SOIL AND VENT PIPES. In existing buildings where the soil, waste and vent pipes are of sheet metal, vitrified tile, concrete or black iron, not extended undiminished through or above the roof, or traps are unvented, the same shall be changed to meet the requirements of this code whenever a fixture is changed in style or location, or replaced, also whenever connections are made in the house sewer to a sanitary sewer system.

SECTION 669. SOIL AND WASTE PIPE PROTECTED. No soil, waste, or vent pipes shall be run or placed on the outside wall of any new building but may be so installed in any old building where it becomes absolutely necessary, in which case the soil and waste shall be adequately protected from frost.

## SECTION 669 A. ROOF EXTENSIONS.

SECTION 669A. Roof Extensions. All roof extensions of soil, waste, or vent stacks shall be run full size at least 18 inches above the roof, and when the roof is used for other purposes than weather protection, such extensions shall not be less than six feet above the roof.

SECTION 670. TERMINALS. The roof terminal of any stack or vent, if within 12 feet of any door, window, scuttle or air shaft, shall extend at least 2 feet above the same. No stack or vent pipe shall terminate under the eaves, cornice or any other overhang of a building.

SECTION 670 A. TERMINALS ADJOINING OTHER BUILDINGS. No new building shall be built adjacent to an existing building in which the windows of the same are located within 12 feet of any existing vent stack or where the vent stack of any new building terminates within 12 feet of any existing window, unless the owner of the new building with the consent of the owner of the existing building, shall make such alterations to the existing stacks or extensions of the new vent stack as will meet the requirements of the section preceding this one.

SECTION 671. TRAPS PROTECTED BY VENTS. Every fixture trap shall be protected against siphonage and back pressure and a circulation of air assured by means of a soil, waste continuous stack, loop, circuit unit or return vent.

SECTION 671 A. DISTANCE OF VENT FROM TRAP SEAL. Trap vents shall be continuous where possible. Where the vent pipes are continuous and ventilated through the wastefittings, the center of the outlet of such fitting or lead branch shall not be set lower than the dip of the trap, and the distance measured along the central lines of the waste from the weir of the trap to the vent opening shall not be more than the following distances:

$1\frac{1}{4}$  inch trap--36 inches;  $1\frac{1}{2}$  inch trap--36 inches; 2 inch trap--36 inches; 3 inch trap--36 inches; 4 inch trap--36 inches;

(Exception) All water closet bends shall be vented with not less than a 2 inch vent when over seven feet from the soil stack or house drain, and when located 20 or more feet from the soil stack or house drain.

The soil pipe shall be continued undiminished through the roof.

SECTION 672. MAIN VENTS TO CONNECT AT BASE, ROOF TERMINAL. All main vents or vent stacks shall connect full size at their base to main soil or waste pipe at or below the lowest fixture branch, and shall extend undiminished in size above the roof in buildings of three stories or more. They may be reconnected to the main soil or waste stack above the highest fixture in buildings of less height.

## SECTION 672 A. SIZE OF VENT PIPE PER FIXTURE OR GROUP OF FIXTURES.

The following table shall be used to determine the minimum size of vent pipes required for any one fixture or group of fixtures:  
Closets:

1 to two fixtures,	2 inch back vent required
3 to five fixtures,	$2\frac{1}{2}$ inch back vent required
6 to 7 fixtures,	3 inch back vent required
8 to 11 fixtures,	$3\frac{1}{2}$ inch back vent required
12 to 17 fixtures,	4 inch back vent required
18 or more fixtures	6 inch back vent required

**SLOP SINK WITH TRAP COMBINED:**

1 fixture,  $1\frac{1}{2}$  inch back vent required; 7 to 10 fixtures,  $2\frac{1}{2}$  inch back vent required; 11 to 20 fixtures, 3 inch back vent required; 21 or more fixtures,  $3\frac{1}{2}$  inch back vent required;

**SINKS, BATH TUBS, LAUNDRY TRAYS, ORDINARY SLOP SINKS, SMALL SINGLE URINALS AND SHOWER BATHS:** 1 to 2 fixtures,  $1\frac{1}{2}$  inch back vent; 3 to 8 fixtures, 2 inch back vent; 9 to 18 fixtures  $2\frac{1}{2}$  inch back vent; 19 to 25 fixtures, 3 inch back vent; 26 to 50 fixtures,  $3\frac{1}{2}$  inch back vent; 51 to 100 fixtures, 4 inch back vent

**WASH BASINS, CUSPIDORS, BUBBLERS, REFRIGERATORS:** 1 to 4 fixtures,  $1\frac{1}{4}$  inch back vent; 5 to 8 fixtures,  $1\frac{1}{2}$  inch back vent; 9 to 25 fixtures 2 inch back vent; 26 or more, 3 inch back vent.

**Floor Drains:** 1 Fixture, 2 inch flat,  $1\frac{1}{4}$  inch vert.  
2 to four fixtures, 2 inches flat,  $1\frac{1}{2}$  inch vert.; 5 to 8 fixtures, 3 inches flat, 2 inches vert.; 9 to 36 fixtures, 4 inch flat, 3 inch vert.;

**Bar Connections, Soda Fountains:**  $1\frac{1}{2}$  inch to 2 inch back vent.

**LONG ROUGH PEDISTAL COMBINED TRAP AND PORCELAIN STALL URINALS;** 1 to four fixtures,  $1\frac{1}{2}$  inch back vent; 5 to 12 fixtures, 2 inch back vent; 12 to 30 fixtures, 3 inch back vent; 31 or more fixtures, 4 inch back vent.

**SECTION 673. VENT PIPE GRADES AND CONNECTIONS;** All vent and branch vent pipes shall be free from drops or sags and be so graded and connected as to drip back to the soil or waste pipe by gravity.

Where vents connect to a horizontal soil or waste pipe or serve as crown vents, the vent branch shall be taken off the top of the pipe and raised vertically as far as possible toward the water line of the fixtures before offsetting horizontally or connecting to the branch waste or soil vent.

**SECTION 673 A. Wet Vents and By Pass.** No fixture shall be wet vented except those connected to a loop or circuit vent and all vents shall be constructed so as to eliminate all possibility of their becoming a waste pipe or forming a by-pass.

**SECTION 674. CIRCUIT AND LOOP VENTS.** A branch soil or waste pipe, to which 2 or more water closets, urinal stalls, pedestal urinals, shower stalls, or floor drains are connected in the series, may be vented by a circuit loop vent which shall be taken off in front of the last fixture and connection, provided that a relief vent of not less than three inches shall be installed every fifty feet.

**SECTION 674 A. UNIT VENTS.** Where bath tubs, water closets or other fixtures are located on opposite sides of a wall or partition or directly adjacent to each other within the prescribed distance such fixtures may have a common vent.

SECTION 675. RETURN VENT. Where any existing building is of more than one story in height and no vent pipe is available for connection, a fixture may be vented by a return vent to the waste line, provided said vent shall be returned from a point not less than 6 inches above the rim of said fixture and connected to the horizontal waste at a distance of not less than 6 inches from the vertical waste. The size of the waste and vent pipes shall be not less than 2 inches in diameter.

SECTION 675 A. VENTS NOT REQUIRED. No vents will be required on a down spout or rain leader trap, backwater trap, subsoil catch basin trap or floor drain trap when the same are connected to the storm water sewer.

SECTION 676. INDEPENDENT SYSTEMS. The plumbing and drainage system of each new building and of new work installed in an existing building shall be separate from and independent of that of any other building, and every building shall have an independent connection with a public or private sewer when available, except that a building at the rear and on the same lot may be connected to the same house sewer.

SECTION 676 A. Old House Sewers and Drains. Old house sewers and house drains may be used in connection with the new buildings or new plumbing only when they are found, upon examination or test, to conform in all respects to the requirements governing new sewers or drains, as prescribed in this code.

SECTION 677. MATERIAL. The house sewer, beginning 5 feet outside the face of a building foundation wall, shall be of cast iron or vitrified sewer pipe with water tight joints.

SECTION 677 A. SIZE OF DRAINS AND SEWERS. The size of house sewers shall not be less than the house drain which they serve.

SECTION 678. HOUSE SEWER IN MADE GROUND. The house sewer, when laid in made or filled-in ground, shall be of vitrified sewer pipe, or cast iron pipe on a bed of approved grillage or concrete.

SECTION 678 A. OTHER PIPES. It shall be unlawful for any person to lay any gas or water pipe or other conduit vertically above a sewer, in the trench in which said sewer has been laid, or within two feet horizontally from such sewer, or from the trench in which it has been laid

SECTION 679. DEPTH OF DRAINAGE PIPING. No house sewer, or other drainage piping constructed of vitrified clay pipe shall be installed within 5 feet of any bearing wall or less than 12 inches from the surface of the ground. All underground drainage piping shall be laid at sufficient depth to provide protection from frost and vehicle traffic.

SECTION 679 A. CONNECTIONS. When a public sanitary sewer is not available drain pipes from buildings shall be connected with an approved private sewage disposal unit.

SECTION 680. DRAINAGE BELOW SEWER GRADE. In all buildings in which the whole or part of the house drainage and plumbing system thereof lies below the ground level of the house sewer, the same shall discharge into an air-tight sump or receiving tank, property vented and so located as to receive the sewage by gravity, from which sump, or receiving tank, the sewage shall be lifted and discharged into the house sewer or house drain by pumps, ejectors or any equally sufficient method, and there shall be installed on the waste line to the house drain, or house sewer, from

said pump ejector, or other device, a check valve or backwater valve. The soil or waste pipe from the fixture to the sump may be connected in a manner so as to serve as a vent to the sump.

SECTION 680 A. EJECTORS FOR SUBSOIL DRAINAGE. When subsoil catch basins are installed below the sewer level, automatic ejectors should be used. Such ejectors or any device raising subsoil water, shall discharge into a properly trapped fixture, storm water drain or upon the outside land surface, and in no instance shall be connected directly to the house drain or house sewer. Such catch basins need not be vented and shall not receive the waste from any plumbing fixture.

SECTION 681. CLEANOUTS, ON BUILDING SEWER. A cleanout shall be located five feet inside the property line except in alleys, where it may be 25 feet from the alley line. In all cases it must consist of iron pipe from the Wye to the surface of the ground, with four inch brass cleanout plug. Additional cleanouts shall be placed every 50 feet along four inch sewer and every one hundred feet along a six inch sewer. At the end of the sewer, and at every change in direction, a 4 inch cleanout shall be placed.

SECTION 681 A. WASTE OPENING WITHOUT VENT PROVISION, PROHIBITED.

No waste or drainage opening shall be "roughed-in" for future use, without providing a proper vent. In every building having a basement, a vent pipe, not less than one and one-half ( $1\frac{1}{2}$ ) inches in diameter, shall be installed when the plumbing system is being roughed-in. Such vent pipe must extend through the basement ceiling at a convenient point, except where plumbing system includes a sink or similar fixture in the basement, and must be accessible for future use.

SECTION 682. DRUM TRAPS. All cast iron drum traps installed shall be of the 3 opening type, except where such traps are installed with vertical vent waste. Drum traps shall not be installed inverted, except by permission.

SECTION 682 A. "P" TRAPS, BATH TUBS. Bath tubs may be connected with "P" traps provided that where the bottom of such trap is not accessible, it shall have a clean-out in the crown of the trap. All "P" trap installations shall be of the open pattern type.

SECTION 683. SAFES. Safe drain pipes shall not be connected to any part of a building drainage system.

SECTION 683 A. PROHIBITED JOINTS AND CONNECTIONS.

- (a) Traps which prevent free ventilation.
- (b) A kitchen sink and bathtub shall not be connected to the same branch waste pipe, where the sink is installed higher than the tub.

- (c) The use of unions in soil, waste or vent pipe.
- (d) Quarter bend with heel inlet, except where heel inlet is installed in vertical position.
- (e) Soil, waste or vent pipes as roof drains or roof drains to be used as soil, waste, or vent pipes.
- (f) Roof drains to connect to sanitary sewer.
- (g) Offset fittings used only in vertical lines of soil, waste and vent pipes; and shall not exceed 6 inch offset.
- (h) Saddle hubs or bands in connection with drainage or vent stacks.
- (i) Double hub fittings installed only in vent stacks.
- (j) Wooden plugs to support plumbing work or fixtures.
- (k) Close pattern "P" traps.

SECTION 684. SEWER CONNECTIONS. All sewer connections made to the sanitary sewer system shall be made by a duly licensed plumber.

SECTION 684 A. SEPARATE CONNECTIONS. Each separate building or premises shall have a separate connection to the main sewer line, except in cases where that is impracticable, and then only on special permission to be granted by the City Council. Inspection of the sewer connection shall be under the direction of the plumbing inspector and he shall be notified at least four hours in advance by the plumber that the connection is complete and ready for inspection. The entire length of the sewer, including the wye at the main shall be fully exposed. No back filling shall be done until the inspection is made and work accepted. If any portion of the work is not done in accordance with this ordinance and the instructions of the plumbing inspector, it shall be rectified promptly.

SECTION 685. RAIN WATER LEADERS. Rain water leaders, when placed within a building, shall be constructed of cast iron, galvanized iron, copper or brass pipe, and shall not be connected to the building drain or building sewer.

SECTION 685 A. VENT CONNECTIONS WITH CONDUCTORS OR RAIN LEADERS PROHIBITED. Rain water conductors, or leaders, shall not be used as soil, waste, or vent pipes; nor shall any soil, waste, or vent pipes be used as rain water conductors, or leaders.

SECTION 686. SUBSOIL, FOUNDATION, CLEAR WATER, AND ABSORPTION TILE DRAINS.

Where subsoil drains are placed under a cellar floor or used to encircle the outer walls of a building, the area shall be made of open jointed drain tile, vitrified clay or concrete pipe, and if connected to the house drain, or house sewer, shall, before entering the same be protected against back pressure by an automatic back pressure valve, accessibly located; or they may discharge into a cellar drain, provided with a back water valve, subject to plans and specifications approved by the plumbing inspector or the local or State Board of Health.

SECTION 686 A. SODA FOUNTAINS, COUNTER CONNECTIONS, INDIRECT.

Soda fountains, bars, or other similar counter connections shall not connect direct to any building drainage system. The waste pipe from counter fixture shall discharge into an approved open fixture and fitted with a  $\frac{1}{4}$ -inch mesh metal screen supported at least two inches above the bottom of the sink. Such sink must be at least 12 inches in depth.

The waste pipe serving a soda fountain bar, or counter connection must not be less than one and one-fourth inches in diameter, provided, however, that such waste pipe shall be increased in diameter where required by the plumbing inspector. Recessed drainage fittings must be used throughout the main waste pipe and branches and the same shall be provided with sufficient cleanouts. Such waste pipes more than 20 feet long shall be trapped to an extent determined by the plumbing inspector.

SECTION 687. FIXTURE PROHIBITED TO CONNECT. No waste pipe from a refrigerator, or ice box, or any other receptacle where food is stored, shall connect directly with any house drain main, house sewer, soil, waste, or vent pipe. Such waste pipe shall, in all cases, empty into an open fixture which is properly trapped and vented and supplied with water, or may discharge into a cellar drain, but the end must be left open to the air. In no case shall said waste pipe empty into a fixture located in a room where a water closet or urinal is installed.

SECTION 687 A. REFRIGERATOR WASTES. Refrigerator waste pipes shall be not less than one inch for one opening, one and one-quarter inches for two to three openings and one and one-half inches for four to twelve openings.

SECTION 688. OVERFLOW PIPES AND EXHAUST. Overflow pipes from a water supply tank, cistern, expansion tank, drip pan, or exhaust from a water lift shall not be directly connected with any house drain, soil or waste pipe. Such pipes may be discharged into an open fixture, or as directed by the plumbing inspector.

SECTION 688 A. WASTES FROM LAUNDRIES AND SIMILAR ESTABLISHMENTS. Waste pipes in dye houses, breweries, bottling works, creameries, laundries, and similar establishments, where much water is used, may discharge directly onto a non absorbent floor, provided with an adequate number of floor drains. Said drains shall be connected to the building sewer with cast iron pipe.

SECTION 689. DRINKING FOUNTAINS. Drinking fountains may be installed on a direct connection by means of one pipe, serving as a combined waste and vent pipe, provided no fixtures other than the drinking fountains are connected thereto, and every fountain is separately trapped.

SECTION 689 A. DRINKING FOUNTAIN HEADS. On all new and replacement installations drinking fountain heads shall be of the 45 degree angle approved sanitary type.

SECTION 690. SODA FOUNTAIN AND SINK WASTES. Bars, soda fountains, dish washing machines or sinks and similar fixtures, where glasses, dishes and other receptacles are used for the purpose of serving foods, drinks or beverages to the public shall be adequately supplied with hot water at all times during business hours and supplied with sink facilities as required by the local or State Board of Health. All bars, soda fountains, sinks and similar fixtures mentioned in this section shall be properly connected to sewers, septic tanks or other sewage disposal units as approved by the Utah State Board of Health regulations.

SECTION 690 A. EXHAUST, BLOW-OFF AND DRIP-PIPE CONNECTIONS. The exhaust, blow-off sediment, or drip pipe from a steam boiler shall not connect directly with any sewer, house drain, soil, or waste pipe. Such pipe shall discharge into the top and above the line of discharge of a suitable closed tank or condenser, made of wrought or cast iron and provided with a relief pipe of at least two inches in diameter, extending independently of any other pipe to the outer air above the roof. The waste from said tank, or condenser, shall be taken from the bottom in such a manner as to form a trap seal of not less than 18 inches and be connected, wherever possible, to the building sewer, and be at least one size larger than the inlet.

SECTION 691 . INDIRECT WASTES FOR SPECIAL APPLIANCES. Appliances, devices, or apparatus not regularly classed as plumbing fixtures, but which have drips, or drainage outlets, shall be drained by special waste pipes discharging into an approved open plumbing fixture, sump or floor drain.

Clean running water, used exclusively as a cooling medium in an appliance, device, or apparatus may discharge into the inlet side of a fixture trap, in the event that a suitable fixture, sump or floor drain is not available to receive such drainage. Such trap connection shall be by means of a pipe connected to the inlet side of an approved fixture trap, the upper end terminating in a funnel shaped receptacle, set adjacent to, and not less than 6 inches above, the overflow rim of the fixtures, into which the water shall discharge.

SECTION 691 A. WASH RACK AND SIMILAR DRAIN DRAINAGE. All floor drainage from public laundries, wash-racks, floors and areas where automobiles, trucks, vehicles, cars, or locomotives are washed, shall run to an intercepting settling tank or sump, so designed and constructed that mud and other objectionable materials will be retained therein. All such sumps, or settling tanks shall discharge the waste water only into a secondary sand trap that is properly connected to the drainage system and constructed as to prevent floor drainage entering same, other than through its connection with the settling tank or sump.

SECTION 692. PREFERENCE OF SEWAGE DISPOSAL UNITS.

Sewage disposal units which should be constructed or installed are: 1st, septic tank and sub-surface drainage field; 2nd cess pool. In no case shall a cesspool be constructed where a septic tank and sub-surface drainage field can be constructed.

SECTION 692 A. CESSPOOLS--CONSTRUCTION, LOCATION. A cesspool receiving the discharge from water closets should be dug or excavated until a satisfactory filter bed of sand or gravel has been reached and shall not be excavated to water. The inside dimension should not be less than 4 feet in diameter, when finished. The supporting walls, or lining shall be of porous construction of stone or other suitable material, substantially constructed. The top shall be of solid stone or reinforced concrete. Provision may be made for cleaning by means of a manhole.

SECTION 693. SEPTIC TANK. CAPACITY, DESIGN AND MATERIAL. Septic tanks should be rectangular in shape, with one compartment, and constructed of such material and in such a manner as to be water tight, and conform to the following dimensions and capacities:  
1 to 9 persons, 6ft. long, 3 ft. wide, 5 ft. deep, 540 gallons cap.

10 to 13 persons-- 7 ft. long, 3 ft. wide, five feet deep, 630 gallons capacity.

14 to twenty persons, 8 ft. long, 3 ft wide, 5 ft deep, 720 gal. cap.

21 to 23 persons, 9 ft. long, 4 ft. wide, 5 ft. deep, 1080 gal. cap.

24 to 26 persons, 10 ft. long, 4 ft wide, 5 ft. deep, 1200 gal. cap.

For larger sizes, see Utah State Board of Health bulletin, "The Septic Tank."

SECTION 693 A. SUB-SURFACE SEWAGE DISPOSAL FIELD. A SUB-surface disposal field shall be constructed of four inch drain tile, laid end to end, a distance of  $\frac{1}{2}$   $\frac{1}{4}$  inch apart. (Top of joints to be covered with tar paper) in a trench not less than 12 inches wide and not more than 30 inches deep., (preferably eighteen inches). The trench should be filled with coarse gravel ( $1\frac{1}{2}$  inch size) to form a filter bed in the bottom of the trench not less than 4 inches deep. Tile shall then be laid on a straight line and uniform grade of 2 inches to four inches per one hundred feet, sloping away from the tank. After tile is laid it should be covered and 6 inches of fine gravel added with the balance of the trench filled to the ground surface with soil. The length of the field should be determined by the type of soil and should conform to the following table: 1 to 9 persons, 100 ft. in porous soil--175 ft. in medium soil and 250 ft. in tight soil.

10 to 13 persons, 200 ft. porous soil, 350 ft. med. soil, 500 ft. tight soil.

14 to 20 persons, 340 ft. porous soil, 550 ft. med. soil, 750 ft. tight soil.

21 to 23 persons, 475 ft. porous soil, 750 ft. med. soil, 1000 ft. tight soil.

24 to 26 persons, 600 ft. porous soil, 925 ft. med. soil 1250 ft. tight soil.

Where material other than four inch drain tile is used, consult the Local or State Board of Health.

SECTION 694. LOCATION OF SEPTIC TANKS AND CESSPOOLS. No septic tank, cesspool, or other system of sewage disposal unit shall be located under any building. The unit shall be so located that flow or seepage of effluent will be away from the building which it serves and shall not flow or seep under any other building or on to abutting property. No sewage or effluent from any sewage disposal unit shall be placed, discharged, or permitted to flow into any irrigation ditch, any stream used as a culinary water supply, into any well, or upon the surface of the ground, in any manner considered by Local or State Board of Health to affect in any way the public health or to cause a nuisance.

SECTION 694 A. FIXTURES FOR PLACES OF AMUSEMENT AND PUBLIC ASSEMBLANCE.

Every theater, auditorium, stadium, athletic field, church, dance hall, pleasure resort., swimming pool, railroad station, or other place where the public congregates for pleasure, amusement, or otherwise shall be provided with adequate toilet facilities for each sex, in separate compartments and marked for "Men" and for "Women" as the case may be, In or adjacent to the toilet compartment there shall be provided not less than one lavatory and not less than one drinking fountain.

SECTION 695. FIXTURES FOR PLACES OF BUSINESS AND OTHER PLACES WHERE PEOPLE WORK OR ARE EMPLOYED. All stores, shops, factories,, places of business and all other places where people work or are employed shall be provided with not less than one toilet for every fifteen persons or fractional part thereof, occupying, employed in, or working in any

building or on any premise. If persons of both sexes occupy, or are employed in such places, there shall be provided separate toilets for each sex, the number of which shall be computed as above.

In or adjacent to the room containing such toilets there shall be provided not less than one lavatory or wash sink, and there shall be not less than one drinking fountain for each 100 persons or fractional part thereof. Toilet compartments for men and women shall be placed in separate rooms, entirely cut off from each other by approved walls and ceilings and be plainly marked for "Men" and for "Women," or similar markings.

SECTION 695 A. TOILET COMPARTMENTS AND ROOMS. Toilet compartments shall be equipped with well fitting doors that will lock to insure privacy and toilet compartments and rooms should be placed where they will not open directly into work rooms. For the sake of privacy as well as to prevent pollution of the air in the work room, the walls of all toilet rooms shall extend to the ceiling, or the rooms shall be independently ceiled over. All toilet compartments shall be well lighted and ventilated to the outside air by means of windows or individual air duct. An adequate supply of toilet paper shall be provided in every water closet compartment.

SECTION 695 B. REST ROOMS. All rest rooms shall be separate and apart from the toilet compartment by means of a wall which extends to the ceiling, or the equivalent.

SECTION 695 D. GAS AND SERVICE STATIONS. Gas service stations shall be equipped with at least 2 toilets or approved sanitary pit type privies, one marked for "Men" and one marked for "Women."

#### SECTION 696.

a SECTION 696. OLD MATERIALS. Any or all fixtures or fittings, soil pipes removed from old conings, if found to be in good condition, may be used again, providing the owner of the building in which they are installed gives his consent.

SECTION 696 A. OLD HOUSE DRAINS. Existing house drains may be used in connection with new buildings or new plumbing when they are found, upon examination to conform to the requirements of this code governing new drains and sewers.

SECTION 696 B. When an old or defective plumbing fixture is removed to be replaced by a new one, and the waste and vents to same are remodeled, additional fixtures installed, or the present ones moved to a new position, a connection made to the sanitary sewer in lieu of a septic tank, or other treatment unit, the same shall conform to this Code. All other existing plumbing shall reasonably conform to this code. The Durham system may be used subject to approval.

SECTION 696 C. Types of Closet Bowls. All new closet bowl installations and replacements in public places or in such places as set forth in section 694A, shall be of the elongated rim type and shall be the open front type of closet bowl.

## CHAPTER XLIV.

## POLICEMEN.

## SECTION 698. OATH.

Every policeman shall take an oath for the faithful performance of his duties as policeman, and shall obey all rules and regulations prescribed for the government of the police force, and shall see that the ordinances of the city are complied with.

## CHAPTER XLV.

## PRACTICE AND PROCEDURE BEFORE THE CITY JUSTICE OF THE PEACE.

## SECTION 699. JURISDICTION.

The city justice of the peace shall have exclusive original jurisdiction in all cases arising under the ordinances of this city, and all proceedings for any cause of action given or created by any ordinance, shall be prosecuted in the corporate name of this city, and in the manner prescribed by the statutes of Utah for similar cases in justice's Courts.

## SECTION 700. COMPLAINTS.

All prosecutions brought for the violation of any ordinance of this city shall be commenced before the city justice of the peace by written complaint, under oath, briefly setting forth the offense alleged to have been committed; said complaint shall be signed by the person making it and may be written or printed, or partly written and partly printed; no objection to the form thereof shall be allowed, if a complaint refers to the ordinance by its title, section and date of passage, and shall substantially set forth the offense charged with such particulars of time, place, person, and property as to enable the defendant to understand distinctly the character of the offense complained of and to answer to the complaint.

## SECTION 701. JURY TRIAL.

All actions before the city justice of the peace, arising under the city ordinances, shall be tried and determined by such justice without the intervention of a jury, except in cases where imprisonment for a longer period than thirty days is made a part of the penalty, or where the maximum fine may exceed fifty dollars. The defendant shall demand a trial by jury before the commencement of the trial, and when such a demand shall be made and the defendant is entitled to a jury trial a jury shall be empanelled in the same manner as provided for empanelling of a jury in other justice's courts.

## SECTION 702. PUNISHMENT AND SENTENCE.

The several sections of the ordinances of this city which shall declare certain misdemeanors punishable as therein mentioned devolve a duty upon the city justice of the peace to determine and impose

the punishment prescribed, and whenever the punishment is left undetermined between certain limits, the punishment to be inflicted in a certain case must be determined by the court within the limits prescribed, and where sentence of fine is imposed for violation of any ordinance of this city, such sentence shall also direct in default of the payment of said fine, the defendant be committed to the city or county jail until such fine is paid.

SECTION 703. COMMITMENT DIRECTED TO CITY MARSHAL

When a judgment of imprisonment is rendered in addition to, or in lieu of fine, and where the person convicted fails to pay the fine assessed, and when a judgment of imprisonment is rendered without fine, the city justice of the peace shall immediately issue commitment, or other proper process, directed to the city marshal or other proper person, directing him to execute the said judgment.

SECTION 704. VIOLENCE NOT TO BE USED. SOLITARY CONFINEMENT.

Nonviolence shall be used toward any prisoner unnecessarily, but if any prisoner shall refuse to labor, or refuse to obey any rules and regulations properly prescribed for the government of the city jail, such prisoner may be kept in solitary confinement and fed on bread and water only.

SECTION 705. BALL AND CHAIN ATTACHED TO PRISONER.

Prisoners may be required to labor with ball and chain or other device attached to them when the circumstances of the case require.

SECTION 706. INTOXICATED PERSONS TO BE DETAINED IN CITY JAIL UNTIL SOBER.

In all cases where a person shall be arrested either with or without a warrant, for violation of any ordinance, and such person shall at the time of arrest be intoxicated, the officer making the arrest shall convey the offender to the city jail, and there detain him until he shall become sober.

SECTION 707. CITY JUSTICE TO DETAIN INTOXICATED PERSON.

The city justice of the peace is authorized and empowered to order to be detained in custody in the manner and for the time prescribed in the preceding section any person who shall be brought before him charged with the violation of any ordinance of this city, and who at the time of his appearance shall be intoxicated.

SECTION 708. POSTPONEMENT OF TRIAL.

Before commencement of a trial for the violation of the ordinances of this city, before the justice of the peace, either party may on good grounds shown, have a reasonable postponement thereof.

## SECTION 709. DEFENDANT ADMITTED TO BAIL.

Pending a trial before the city justice of the peace for the violation of any ordinance of this city, the defendant may be admitted to bail upon his giving bond, executed by two good and sufficient sureties, in a sum to be fixed by the said justice of the peace, or by depositing the sum of money named as the penalty of said bond, with such justice of the peace or with the bail commissioner.

## Section 710. DEMURRER TO COMPLAINT.

If a demurrer to a complaint, filed against any person for the violation of any ordinance of this city, is sustained, a new complaint must be filed within such time, not exceeding one day, as the justice may name. If such new complaint be not filed the defendant must be discharged.

## SECTION 711. ARREST WITHOUT WARRANT.

Any police officer of this city may without warrant, arrest any person violating or attempting to violate any of the provisions of any ordinance of this city, where such violation or attempted violation is made in his presence.

## SECTION 712. STATE PUNISHMENT STATE PUNISHMENT.

Any act or omission declared punishable by the ordinances of this city, is not less an offense because it is also punishable under the laws of the state.

## SECTION 713. PUNISHMENT FOR TWO OR MORE MISDEMEANORS.

When any person is convicted of two or more misdemeanors, before sentence has been passed upon him for either, the imprisonment for which he is sentenced upon the second or subsequent conviction, shall commence at the expiration of the preceding term.

## CHAPTER XLVI.

## RAILROADS. TO REPAIR SEWERS, STREET CROSSINGS, ETC.

SECTION 714. All persons constructing railroads within the limits of Park City shall be subject to the following regulations:

They shall, at their own expense, construct and keep in good repair all water ducts, sewers, drains, street crossings, receiving basins, and all fixtures connected therewith, and with the distribution of water or sewage in said city, which may be affected thereby. The construction, alterations, and repairs must be done under the direction of the supervisor of streets and public improvements and subject to the approval of the city council.

## SECTION 715. VIADUCTS AND BRIDGES. TRACKS ON GRADE.

All railroad companies shall, at their own expense, construct viaducts and bridges for the cross streets, now existing or hereafter opened, intersecting the embankments or excavations of their railroads;

they shall also make such grades or excavations, as in the opinion of the city council, may be required to make the passage over the railroad embankments easy and convenient for all the purposes for which streets are usually used; and they shall make such drains and sewers as their embankments and excavations may make necessary.

They shall when required by the city council, construct suitable viaducts or crossings over all streets when life or property may be endangered by the ordinary public use of the streets over, upon or across, which such railroads are constructed.

Such companies shall make their railroad track conform to what is, or may hereafter be, the established grade of the street or place through which their railroads pass; and no company shall have the right to take up, remove, or carry away, any rock, gravel, earth, or other material from any street or public place, for any purpose, except by permission of the city council, and under their direction. All railroad companies shall plank between all rails that cross the said tracks, and said planking to be for the full width of said cross street and sidewalks, unless otherwise directed by the city council.

SECTION 716. OBSTRUCTIONS.

If, at any time after the commencement of the construction of any railroad, it shall appear to the city council that any part thereof shall constitute an obstruction or impediment to the ordinary use of any street or place, or that it is being operated contrary to the regulations of the city, the said railroad company shall, on notice from the city council, and within the time therein specified, provide a remedy satisfactory to said council; should the said company neglect or refuse to obey the directions of such notice, the city council, may upon the expiration of the time limited in such notice, cause the obstruction or impediment, to be removed, and the street or place restored at the expense of the said railroad company.

SECTION 717. CROSSING OTHER TRACKS .

Nothing in any ordinance or resolution granting a right of way, or franchise for a railroad, shall be construed to prohibit the council from granting permission to any other railroad company to cross any railroad track already laid, and when any railroad shall intersect any other railroad, the rails of each shall be so cut or altered as to permit the cars to pass without obstruction. It shall be unlawful for any person willfully to obstruct any railroad in the manner herein prohibited. The tracks of all railroads shall be laid in the center of the streets, unless otherwise directed by the city council

SECTION 718. SPEED.

It shall be unlawful for any person to run any locomotive, train or cars, operated by steam, in Park City at a greater speed than 15 miles per hour.

SECTION 719. BELLS.

It shall be unlawful for any person or persons employed on a locomotive to fail to ring the bell continuously on such locomotive while in motion in the inhabited portions of the city.

## SECTION 720. CROSSINGS.

All locomotives, cars, and trains are required to come to a full stop before crossing any other line of railroad or street crossing, and at a distance of not less than forty feet therefrom; and when two trains arrive at the same crossing simultaneously, the train on the first constructed track shall have precedence in crossing. It shall be unlawful for any person to permit any train, engine, or cars to stand in or upon any street or sidewalk or crossing so as to obstruct the ordinary travel thereon, or to operate switch engines or cars as to obstruct the passage over the streets, crossings.

## SECTION 721. POWER OF CITY NOT AFFECTED BY GRANT.

The right of regulating the description of power to be used in the city in propelling cars on and along any railroad, and the speed of the same, together with the price of the license or tax to be paid therefor, shall not, by virtue of any grant or contract, be construed to mean that such right passes to the grantee, but such rights, together with all other powers vested in the said city council for the regulating, controlling or removing of railroads within this city, are expressly retained and reserved.

## SECTION 722. PENALTY.

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city or county jail not more than one hundred days, or by both such fine and imprisonment.

## CHAPTER XLVII.

## REPORTS.

## SECTION 723. MADE TO MAYOR ANNUALLY.

Every elected or appointed officer of this city, shall on or before the 31st day of December in each year make an annual report in writing to the mayor, which report shall show:

- 1- The moneys received and disbursed, if any, during the preceding twelve months.
- 2- The moneys received, the business done, or labor performed by said officer during the preceding twelve months, and the general conditions of his office at the close thereof.
- 3- Such recommendations or suggestions as may be deemed of service or benefit and for the welfare of the city. Such reports shall comprise, in a consolidated form and for the whole year, the substance of the monthly or other reports required by other provisions of the revised ordinances. The report herein provided for, or such portions thereof as may be deemed necessary by the mayor, shall with his own annual report, giving a summary of the city's business and conditions, and such recommendations as he may consider advisable, be submitted to the city council on or before the first meeting in March of each year.

## CHAPTER XLVIII.

## REVENUE. GENERAL.

## SECTION 724. PROPERTY TO BE TAXED.

All property within the corporate limits of this city which now is, or may hereafter be, made taxable for county or state purposes by the laws of the State of Utah, shall be assessed and taxed for municipal purposes.

## Section 725. LAWS OF THE STATE GOVERN.

The assessment on all property, taxable as aforesaid, and the collection of all taxes levied for municipal purposes in this city, shall be made in the manner provided by the laws of the State of Utah for the assessment of property and the collection of taxes for county and state purposes, and the redemption of tax sales.

## SECTION 726. TAXES. WHEN DUE.

All taxes assessed under the provisions of this chapter, shall be due and payable on the third Monday of September annually, and any and all taxes remaining unpaid shall become delinquent at the same time that unpaid state and county taxes become delinquent.

## SECTION 727. TAXES. WHEN LEVIED.

After the receipt by the recorder of the statement of the county assessor, showing the aggregate valuation of all taxable property within the city, as provided by the laws of Utah, the city council shall, in the month of July of each year, at a regular meeting thereof, by ordinance or resolution, levy on the real and personal property within the city made taxable by law and ordinance as aforesaid.

Not to exceed five mills on the dollar to defray contingent expenses.

Not to exceed four mills on the dollar to purchase water sources, streams, and the land upon which said streams are appropriated, and canals; to construct water works and supply water for irrigation and other purposes.

Not to exceed five mills on the dollar to open, improve and repair the streets and sidewalks.

Not to exceed two mills on the dollar to construct sewers and drains.

Not to exceed three and five-tenths mills on the dollar to construct and maintain gas works, electric light works, telephone, street railways or bath houses.

Not to exceed five mills on the dollar for the erection and maintenance of city or town halls or memorials.

Not to exceed five-tenths mills (5/10) on the dollar to defray the expenses of the auditor.

Not to exceed five mills on the dollar to defray expense of the department of public safety.

Not to exceed 2 mills on the dollar to defray the expense of the department of public affairs and finance.

Not to exceed 2 mills on the dollar to defray the expense of the department of parks and public property.

## SECTION 728 COMPENSATION TO THE COUNTY

The city shall pay to the county such compensation as is provided by the laws of the State of Utah for assessing, collecting, and paying over to the city taxes.

## SECTION 729 CITY RECORDER TO CERTIFY

The city recorder shall certify the ordinance or resolution making the levy to the county clerk and auditor, immediately after the passage of the same. And shall file a statement with the State Tax Commission, on or before the second Monday in August of each year showing the amount and purpose of each levy fixed by the city council.

## SECTION 730 SETTLEMENT WITH THE COUNTY

The city treasurer shall receive from the county treasurer on the first day of October of each year and on the first day of each succeeding month until final settlement, all moneys in his hands collected for city taxes, and on or before the first day of March in each year, shall make settlement with the county treasurer, respecting the city taxes, and receive all moneys then due the city. He shall give the county treasurer duplicate receipts for each payment.

He shall also receive from the county treasurer the proper amount of delinquent taxes, interest and costs on all tax sales and redemptions therefrom, belonging to the city.

## SECTION 731 UNCOLLECTIBLE TAXES

When the County treasurer shall furnish to the city council satisfactory proof that he has exhausted all the taxable property, real and personal, of any delinquent tax payer, the city council shall cause the city treasurer to credit the county treasurer with the amount of said delinquent remainin, unpaid.

## CHAPTER XLIX

## SALARIES

## SECTION 732 AMOUNTS

The salaries of all elected and appointed officers of this city shall be as herein provided.

Mayor, per annum	\$ 300.00
Councilmen \$3.00 for each meeting attended and \$3.00 per day or fraction thereof that he is actually engaged in the performance of necessary committee work.	
Recorder, per month-----	\$ 75.00
Treasurer, per year-----	\$ 400.00
Marshall, per month-----	\$ 150.00
Policeman, for each day actually worked----	\$ 5.00
Attorney, per month-----	\$ 75.00
Justice of the Peace, per month-----	\$ 75.00
City Physician, per month-----	\$ 20.00
Sexton, per month-----	\$ 90.00

Pound Keeper-----fees set by ordinance or by council ✓  
 Water Commissioner, per month----- \$ 135.00  
 Street Commissioner, per month----- 30.00  
 City Electrician, such sum as may be fixed by the Council  
 Sealer of Weights and Measures, such sum as may be fixed  
 by the Council but at no time shall his salary exceed  
 \$20.00 per month.  
 Chief of Fire Department, such sum as may be fixed by the  
 City Council by resolution.  
 Clerk of the Water Department, per month--- \$ 40.00

SECTION 733 WHEN AND HOW PAID

The above salaries shall be paid monthly with the exception  
 of the Mayor and Treasurer who shall be paid quarterly.

CHAPTER I

SEATING OF HALLS

SECTION 734 Seating of Hall

All theaters, including moving picture shows, halls, churches  
 and other places used for public assemblies of any kind whatsoever, shall  
 be provided with sufficient stairways and exits to enable the same to be  
 emptied in three minutes or less and the doors thereof shall swing outward  
 and shall not be locked while the building is occupied by any public  
 assembly. The question of the sufficiency of such stairways and exits  
 shall be determined by the inspector of buildings, subject to the approval  
 of the city council. In all theaters, including moving picture shows, the  
 exits shall be indicated during each performance by a red light illum-  
 inating a sign with the word "EXIT" written upon it in letter s: fficiently  
 large to be readily seen from any part of the building.

SECTION. 735 UNLAWFUL TO ENCUMBER AISLES

It shall be unlawful to encumber or fill the aisles, entrance  
 hall, door or other means of ingress or egress of any theater, hall, church,  
 or other place used for public assemblies of any kind with chairs, benches  
 or other things or to permit the same to be encumbered or filled so as to  
 in any manner prevent or impede the free use thereof.

SECTION 736 PENALTY

Any person violating any of the provisions of this chapter  
 shall be guilty of a misdemeanor, and upon conviction thereof, shall  
 be punished by a fine of not more than \$299.00 or by imprisonment in  
 the city or county jail not more than 90 days, or by both such fine and  
 imprisonment.

## CHAPTER LI

## SECOND HAND AND JUNK DEALERS.

## SECTION 737. SECOND HAND DEALER DEFINED.

Any person who keeps a store, office or place of business for the purchase, barter or exchange or sale of second hand goods, wares or merchandise, clothing or garments of any kind, except merchandise such as books, musical instruments and curiosities, or who engages in the business of dealing in second hand goods, is hereby declared to be a second hand dealer.

## SECTION 738. JUNK DEALER DEFINED.

Any person engaged in buying and selling, bartering and exchanging old metals, glass, rags, rubber, paper or other junk is hereby declared to be a junk dealer.

## SECTION 739. DEALING WITH MINORS PROHIBITED.

It shall be unlawful for any second hand or junk dealer, by himself, his agent or servants, to purchase or receive any personal property of or from any minor under the age of eighteen years.

## SECTION 740. JUNK DEALERS TO KEEP BOOK.

It shall be unlawful for any second hand or junk dealer to fail to keep a substantial and well bound book, in which he shall enter at the time of purchase in the English language:

First: A true and accurate description of every article purchased by him.

Second: The name, age, description and residence of the vendor.

Third: The amount paid,

Fourth: The date and hour of purchase.

All entries shall be made with ink in a legible manner, and all records of second hand dealers and junk dealers shall be open to inspection by any police officer at any time.

It shall be unlawful for any second hand or junk dealer to deliver to the person selling or delivering any of the property mentioned in the foregoing sections, or to sell or otherwise dispose of any of such property for the period of thirty days from the date of receiving the same, unless expressly permitted to dispose of such property by the police department prior thereto.

SECTION 741. PLACE OF BUSINESS TO BE CLOSED DURING CERTAIN HOURS.

It shall be unlawful for any second hand or junk dealer to keep his place of business open for trade before the hour of seven o'clock a.m. or after seven o'clock p.m. or on Sunday; provided, that on Saturday of each week, and on days preceding legal holidays, and last fifteen days of December of each year, it shall be lawful for second hand and junk dealers to keep their places of business open until eleven o'clock p.m.

CHAPTER LII

SEWERS.

SECTION 742. CITY WATER DEPARTMENT TO SUPERVISE.

The entire sewer system shall be under the immediate care, supervision and control of the city water department.

SECTION 743. INJURING SEWER PROHIBITED.

It shall be unlawful for any person to injure, break or remove any part or portion of any sewer or of any sewer appliance or appurtenance, or to discharge into a sewer any inflammable gas, gasoline, or oil, or any calcium carbide or residue therefrom, or any liquid or other material or substance which will evolve an inflammable gas when in contact with water, sewage or fire. Oil separators installed in any building where volatile fluids are used must not be connected directly or indirectly with a sewer.

SECTION 744. OBSTRUCTION.

It shall be unlawful for any person to empty or discharge into a public sanitary sewer any garbage, refuse, night-soil or other similar matter, or any substance or thing likely to obstruct the sewer, or any substance solid or liquid other than the waste products for which said is provided.

SECTION 745. MAN-HOLE COVERS.

It shall be unlawful for any person to open any sewer man hole without permission from the city water department.

SECTION 746. DISCONTINUANCE OF PRIVY VAULTS AND CESSPOOLS.

It shall be unlawful for the owner or owners of any property within this city, or his, her or their agent or agents, or other person or persons having charge of or occupying such property, said property being located upon any street, alley, court, passageway or area, and within two hundred feet of a sewer along any street or alley of this city, to neglect or refuse, for the period of twenty days after notice from the board of health of this city, to discontinue the use of, clean out, disinfect and fill up all privy vaults and cesspools on such property, or neglect or refuse for such period after such notice to remove the seat or seats from all outside closets on such property.

## SECTION 747. SEWER CONNECTIONS.

It shall be unlawful for any person to connect any drain or sewer pipe with the public sewer, unless such person is a duly licensed plumber.

## SECTION 748. PERMIT.

It shall be unlawful for any person to commence or to carry on the work of laying, repairing, altering or connecting any sewer pipe with the public sewer, without first having a permit so to do from the city water department. Such permit must be on the job during the whole time the work is in progress, and must be exhibited to any person demanding to see it.

## SECTION 749. APPLICATION FOR PERMIT. PLANS. FEES.

Applications for permit for sewer connections must be made in writing by the owner of the premises, or his authorized agent, and must be accompanied by plan, showing the cause of connection, its size and the size and location of all branches to be connected with it. The application and plan together with a fee of \$5.00, shall be deposited with the city water department, which plan shall be examined by said department, and if in his judgment, the carrying out of such plan will cause no injury to the street in which the sewer sought to be connected with is laid, or to the carrying out of improvements projected, or which may thereafter be made on said street, or prejudicial to the interests of persons whose property has been or may thereafter be connected to said sewer, and that said plan in all things shall conform to the ordinances of this city, then the application to connect with the sewer shall be granted, subject to the provisions of this chapter. All sewer connections shall be put into line and grades designated by the city water department, who shall prepare a plat of each connection and file such plat in the office of said department, for which services and filing the department shall collect a fee of \$5.00. All house connections to the sewer shall be inspected by duly authorized inspectors. Any work not approved by him shall be rectified without delay before the back-filling shall be done. No certificate of inspection shall be issued until the work is entirely satisfactory. A charge of \$1.00 shall be collected for each inspection. No permit shall be issued for, nor shall any connection be made with what is known as the intercepting sewer where the fixtures in the house or property so to be connected with said sewer are lower than the present elevation of the intercepting sewer.

## SECTION 750. PERMITS MUST BE PROCURED BEFORE STARTING WORK.

If any work requiring a permit under these ordinances be commenced without a permit first having been obtained therefor, double the permit fee herein prescribed shall be collected when a permit is finally obtained. Payment of any fee provided for in this section, however, shall in no way relieve any person of the penalties that may be imposed for violation of any section of this chapter.

SECTION 751. SEWER CONNECTIONS TO BUILDINGS CONNECTED TO CESSPOOLS OR SEPTIC TANKS.

In connecting to the public sanitary sewer system, a building which is already connected to a cesspool or septic tank, the connection shall be made in such a manner as to eliminate all unnecessary angles in the alignment and shall be approved by the city water department.

SECTION 752. REVOCATION OF PERMIT.

All permits for sewer connections shall be issued to the plumber who is to do the work; but the city water department may at any time revoke a permit on account of defective work.

SECTION 753. OTHER PIPES.

It shall be unlawful for any person to lay any gas or water pipe or other conduit vertically above a sewer, in the trench in which such sewer has been laid, or within two feet horizontally from such sewer or from the trench in which it has been laid.

SECTION 754. SEWER CONNECTIONS. BUILDING SEWERS.

A building sewer or sewer connection shall be deemed that part of the piping extending from the building drain to its connection with the main sewer, cesspool or septic tank.

It shall be unlawful for any person to construct or attach any private drain with the public sewers of Park City, except upon full compliance with the provisions of this chapter.

All sewer connections or building sewers shall be not less than 4 inches or more than 6 inches inside diameter. A building sewer may be cast iron, vitrified clay or concrete pipe; kind to be used to be approved by the city water department.

Concrete driveways to garages underneath or adjoining residences where foundation walls are required and porches of all types of construction shall be considered as part of the building.

The cast iron pipe shall be sound, free from holes or cracks, without traps, valves or other obstructions which might prevent or retard the free passage of air or sewage.

The following weights per linear foot will be accepted:

- 4-inch, standard,  $6\frac{1}{2}$  pounds per linear foot.
- 4-inch, medium, 9 pounds per linear foot.
- 4-inch, extra heavy, 13 pounds per linear foot.

In the use of 5 or 6 inch iron the corresponding standard may be used and all fittings used in connection with any of the above sizes shall correspond with it in weight and quality.

The joints shall be made of soft lead, thoroughly calked, and oakum gaskets shall be used in all joints, tightly calked so as to prevent lead from being forced through and forming projections on the interior of the pipe.

All vitrified clay pipe shall be of the best quality salt glazed. It shall be straight, smooth, thoroughly vitrified, free from cracks, blisters and other defects, of true cylindrical shape and the inner and outer surfaces shall be concentric. The standard length shall not be less than two (2) feet with  $\frac{1}{8}$  inch cement space in the bell. The walls shall not be less than  $\frac{9}{16}$  of an inch in thickness for four (4) inch pipe, and not less than  $\frac{5}{8}$  of an inch in thickness for pipe six (6) inches internal diameter.

All concrete pipe shall be machine made, first class, sound and uniform, free from checks, cracks, or other defects, and no pipe shall be used which is less than twenty days old, nor containing more than 10 per cent of voids, and the glazed inner surface shall be smooth and free from defects of any kind. The standard length shall be not less than two (2) feet, and thickness not less than three-fourths inch for four (4) inch pipe, and fifteen-sixteenths inch for pipe six (6) inches in interior diameter with cement space in the bell of three-eighths inch for both sizes.

All joints in vitrified clay and concrete pipe shall be made in the best possible manner with oakum gaskets and cement mortar tamped in with concave tool 2 to 3 inches wide or asphaltic joint approved by the city water department may be used with vitrified clay pipe, and must be water tight. The cement mixture shall be composed of one part cement to one and one-half parts of sand. The outside of the joint shall be finished smooth and true.

The joint at the Y where the latter connects onto the main sewer shall be entirely surrounded with a concrete collar of a design approved by the city water department.

All building sewers shall be tested for leaks in the presence of the inspector by filling the line with water from the "Y" on the main sewer to the top of the clean-out, and every joint shall be water tight before being accepted by the inspector.

All pipe must be laid on a firm bed, true to the line and grades given by the city water department, on a uniform grade not less than 1.67 feet per 100 feet for four (4) inch pipe, and not less than 0.8 feet per 100 feet for six (6) inch pipe.

All changes in direction must be made by the use of properly curved pipes of not more than one-eighth bend.

A cleanout must be located five feet inside of the property line, except in alleys, where it may be 25 feet from the street line, and in all cases must be iron pipe from the Y to the surface of the ground with a four-inch brass cleanout plug. Additional cleanouts shall be placed every fifty feet along a four-inch sewer and one hundred feet along a six-inch sewer. At the end of the sewer a four-inch clean out must be placed.

The backfilling of the trench shall not be made until the specified water test shall have been made and approved by the city water department. Due care shall be exercised to protect the cement joints on drying out in hot weather and from frost in cold weather.

In wet trenches the pipe joints shall be protected until the cement sets by tying strings of cheese cloth or other cloth around the joints.

In excavating the sewer trench bell holes must be dug under all bell ends of the pipe so that all joints can be easily made and examined. All work that may be necessary shall be done to keep the trench and sewer free from surface or ground water during the progress of the work. In wet trenches a channel shall be kept open on one side to conduct the water to a sump where it shall be pumped to enter the sewer at any time during construction. Whenever necessary, the trench shall be properly timbered to prevent the sides from caving in. No tunneling shall be allowed except where absolutely necessary and then only by permission of the city water department. All gas and water pipes and other conduits encountered shall be carefully supported and protected from injury until the backfilling is completed. If the sewer trench passes through any cesspool, or other pits, the pipe shall be satisfactorily supported.

All sewer connections shall be backfilled around and over the pipe for a depth of two (2) feet with fine material carefully tamped. The remainder of the backfilling shall be completed with good material, well tamped or settled with water as may be directed by the city water department.

#### SECTION 755. BUILDINGS TO HAVE SEPARATE CONNECTIONS. EXCEPTIONS.

Each separate building or premises shall have a separate connection to the main line sewer, except only in cases where that is impracticable, and then only on special permission to be granted by the city council upon the recommendation of the city water department; provided, however, that no such special permission shall be granted by the city council unless and until the owner of each building or premises to be thus connected shall grant to and receive from each other perpetual easements and rights of way which shall be properly recorded across and upon each of the premises involved for the purpose of constructing and maintaining each separate connection, and shall covenant and agree as a part of such right of way or easement so that the same shall be covenant appurtenant to and running with the land that each owner will bear and pay his proportionate share for the maintenance and repair of the connection whether the expenditure, maintenance or repair is or becomes necessary upon his own premises or upon the premises with which he is connected.

#### SECTION 756. INSPECTION.

The inspection of sewer connections between the main sewer and three feet outside of the building line shall be under the direction of the city water department. He shall be notified at least four hours in advance by the plumber that the connection is complete and ready for inspection. The entire length of the sewer connection, including the Y at

the main sewer, shall be fully exposed. No backfilling shall be done until the inspection is made and the work accepted. If any portion of the work is not done in accordance with the ordinance and the instruction of the city water department, or their inspectors, it shall be rectified promptly.

In the event that the inspector finds the connections not complete, or if the changes necessary require another inspection, a charge of \$1.00 may be made for each additional visit.

#### SECTION 757. ASSESSMENTS MUST BE PAID.

When the special assessment for sewer improvement for the property proposed to be connected has not been paid for the abutter, but was paid by the city, no permit for a sewer connection shall be issued until the city has been reimbursed the amount of the assessment plus an interest charge of  $2\frac{1}{2}$  per cent per annum from the date when the first payment was due and payable on said sewer extension.

Whenever, property to be drained by a private drain or sewer connection has not been assessed for the construction of the sewer to which such connection is proposed to be made, if said property is adjacent to an existing sewer on that sewer, but does not abut on said sewer, no permit shall be issued by the city water department, nor shall such connection be made until the owner of said property so proposed to be connected with said sewer, or the applicant for such permit shall have paid into the city treasury a sum fixed by the city water department based on the frontage to be benefitted by such connection and at the rate of assessment made against the property abutting on the sewer to which proposed connection is to be made.

In case the property proposed to be connected by a 4 or 6-inch connection with any city sewer, directly or indirectly, does not abut upon the street in which is located the sewer to which connection is sought to be made, no permit for such connection shall be issued by the city water department, nor shall such connection be made until the owner of the property proposed to be connected, or the applicant for such permit shall have paid to the city treasurer the sum of fifty (50) cents per front foot for each foot of the property to be benefitted by such proposed connection with said sewer.

The payment of any of the above assessments mentioned in this section does not in any way relieve the owner from the payment of other fees mentioned in these ordinances.

#### SECTION 758. ONE THOUSAND FOOT DRAINS.

It shall be unlawful for any person to construct any private drain connection with the public sewer, of a length of one thousand feet or over, except under such regulations and restriction as may be prescribed by the city council in each instance.

## SECTION 759. PERMIT.

It shall be unlawful for any person to construct or attach any private drain or house connection directly or indirectly with the sewer, without first having received the regular permit required by these ordinances. The license of the plumber so doing shall be revoked by the proper authorities.

## SECTION 760. JUNCTION PIPES.

Unless otherwise directed in the permit all private sewers or house drains must be connected with junction pipes, slants or "ys," laid in the sewer during construction. The connection point with the sewer must first be located by the city water department before opening the trench for the rest of the work. All trenches must be of sufficient width, and opened in such manner as to admit of easy inspection, and all connections with the sewer must be made in the presence of the inspector. Where there is no junction piece, slant, or "y" in the sewer at the point where connection is to be made, the opening of the sewer and the installing of a "y" will be made by the city water department, if in their opinion it is deemed absolutely necessary, upon payment of the costs for such work.

## SECTION 761. INSIDE OF DRAIN.

All drains connected with the sewer must be left smooth and perfectly clean on the inside, and all dead ends must be securely stopped by bricks, and cement, or other water-tight and imperishable materials.

## SECTION 762. WHEN PERMIT SHALL NOT BE ISSUED.

PERMITS to connect with the sewer shall not be issued unless the plumbing in the house or building to be connected is in accordance with the provisions of the plumbing code of Park City.

No permit shall be issued to any licensed plumber during the time that he shall fail to remedy any defective work, after he has been notified that he has been held responsible therefor under these regulations.

## SECTION 763. PERMITS NOT TRANSFERABLE.

It shall be unlawful for any licensed plumber to use his license or to allow his license to be used in any way for the purpose of procuring a permit for any person other than himself. The license of any licensee who violates this section shall be subject to revocation.

## CHAPTER LIII.

## SIDEWALKS.

## Section 764. SUPERVISION.

All sidewalks shall be constructed in accordance with the plans and specifications of city council of Park City, who shall have the power to approve and inspect all sidewalks and sidewalk construction.

CHAPTER LIII.  
SIDEWALKS.

SECTION 764. SUPERVISION.

All sidewalks shall be constructed in accordance with the plans and specifications of the city council of Park City, which work shall be inspected and approved by the city council

Section 765. SIDEWALKS CONSTRUCTED BY INDIVIDUALS.

It shall be unlawful for any person, either as owner, agent, servant, contractor or employee, to construct any sidewalk in Park City unless such sidewalk be constructed to lines and grades as given and established by the city council and unless special permission to deviate from such lines and grades is first obtained from the city council.

SECTION 766. PERMIT. SPECIFICATIONS

It shall be unlawful for any person, either as owner, agent, servant, contractor, or employee, to construct any permanent sidewalk in Park City, without first having obtained from the city council a permit so to do, The acceptance of such permit shall be deemed an agreement upon the part of such person to construct said sidewalk in accordance with the specifications and grades furnished by the city council as to the character and quality of the work, and if the sidewalk be constructed of cement, the character and quality of the cement, constituent parts of the mixture, and the thickness of the walk. When the walk is extended from the main sidewalk to the back of the curb already constructed, there shall be placed between the back of the curb and the walk, an expansion joint designated by the city council. It shall be unlawful to construct any such sidewalk in violation of the specifications given by the city council.

SECTION 767. INSPECTION COST.

Where property owners construct sidewalks, driveways and curb and gutters at their own expense, in compliance with the provisions of this ordinance and the approval of the city council, the cost of indicating grades and lines and inspection shall be paid for by the property owner before the issuing of the permit required.

SECTION 768. UNLAWFUL TO CONSTRUCT DRIVEWAYS OR CHANGE CONSTRUCTION WITHOUT PERMIT.

It shall be unlawful for any person to construct any driveway across sidewalk space; or to cut or change the construction of sidewalk, curb or gutter, for the purpose of making a driveway, without first making a written application on form provided by the city council and obtaining from the city council a permit to do so. The acceptance of such permit shall be deemed an agreement on the part of such person to construct said driveway in accordance with specifications furnished by the city council.

No permit shall be granted by the city council for any driveway exceeding 25 feet in width. No driveway, including sidewalk, shall be less than 6 inches thick. Where more than one driveway is required for any one parcel of land, a sidewalk island of at least twelve feet shall be provided between driveways, and in no case shall a permit be granted for a driveway which will be within ten feet from any street corner measured along the curb from the property line produced, to the nearest side of the driveway. Where, in the opinion of the city council, it would be dangerous on account of the traffic or where a driveway conflicts with any permanent improvements or waterways, he may refuse to issue such permit.

SECTION 769. ORDINARY REPAIRS DEFINED.

Ordinary repairs on sidewalks, within the provisions of this chapter, shall be deemed to be such repairs as shall not exceed, in cost, ten per cent of the cost of laying a cement sidewalk over a given surface.

SECTION 770. EXTRAORDINARY REPAIRS DEFINED.

Extraordinary repairs, within the provisions of this chapter, shall be deemed to be such repairs as shall exceed ten per cent, and not exceed fifty per cent, of the cost of laying a cement sidewalk over a given surface.

SECTION 771. NEW WORK DEFINED.

New work, under the provisions of this chapter, shall be deemed to be all sidewalks construction work, which shall exceed fifty per cent of the cost of laying a cement sidewalk over a given surface.

SECTION 772. REPAIRS. ENGINEER'S REPORT. LEVY.

Whenever any portion of any sidewalk, consisting of one or more units, shall hereafter be found to be out of repair, it shall be the duty of the city council to compute the cost of repairing such sidewalk, and if such shall be found to come within the definition of ordinary repairs, as provided in this chapter, the city council shall at once report the necessity for such repairs, together with his estimate on the expense thereof, to the city council; and if such repairs shall be found to come within the definition of extraordinary repairs, as provided in this chapter, the city council shall forthwith report the necessity for such repairs, together with his estimate of the cost thereof, to the council; and, if the estimate of such sidewalk shall be found to be within the definition of new work, as provided in this chapter, the city engineer shall forthwith report to the city council the necessity for such new work, and for the levying of a tax to defray the expense thereof.

SECTION 773. ORDINARY REPAIRS TO BE MADE BY STREET DEPARTMENT.

Whenever it shall appear by the report of the city engineer that ordinary repairs on any sidewalk should be made, and whenever upon such report, such repairs are ordered by the city council, they shall be at once undertaken by the street department, and such work shall be subject to the approval of the city council.

## SECTION 774. EXTRAORDINARY REPAIRS. NOTICE.

Whenever it shall appear from the report of the city engineer to the council that extraordinary repairs are necessary to be made on any particular sidewalk, the council shall at once notify the property owner or owners whose property abuts upon the sidewalk where such repairs are needed, that certain repairs upon said sidewalk are needed, as in the notice specified, and that such repairs have been determined to be extraordinary repairs within the terms of this chapter, and that unless such property owner or owners shall cause such repairs to be made within fifteen days from the date of said notice, to the satisfaction and approval of the city council, such repairs will be made by Park City, and the expense thereof charged against said property.

## SECTION 775. EXPENSE.

Whenever extraordinary repairs shall not be made by the property owners or owner, as in the last section specified, within the time therein named, the council, shall at once proceed with such repairs as in this chapter provided.

## SECTION 776. LEVY AND SALE.

Whenever extraordinary repairs and the expense thereof are reported, the council shall at once levy a tax against the property abutting upon the sidewalk where the repairs have been made, to meet the expense of such repairs. Said tax levy shall be reported to the city treasurer and ex-officio collector of special taxes, who shall give notice thereof, and at once proceed to collect the same in like manner as other special taxes are collected, except that notice of such tax shall specify that it is to cover the expense of extraordinary repairs on a certain sidewalk, and that said tax is both due and delinquent, and shall fix a time not more than thirty days from the date thereof when said property will be advertised for sale to pay such tax and the costs and expense of levy and sale.

## SECTION 777. COAL HOLES OR OTHER OPENINGS.

It shall be unlawful to construct or maintain coal holes or other openings in streets or sidewalks, except under the direction and supervision of the city engineer, and then only after the grant of special permission by the city council.

## SECTION 778. CELLAR DOORS.

It shall be unlawful for the owner or occupant of any building having a cellar opening upon any street or sidewalk to fail to keep the door or other covering thereof in good repair and safe for the passage of the customary traffic on said street or sidewalk; and if the owner or occupant of any such building shall neglect or refuse to repair properly any such door or covering for twenty-four hours after notice from the city council so to do, said council shall forthwith cause such repairs to be made at the expense of said owner or occupant.

**SECTION 779. OBSTRUCTION OF SIDEWALKS.**

It shall be unlawful for any person owning, occupying or having control of any premises, to place or permit upon the sidewalk or the half of the street next to such premises:

1. Any broken wares, glass, filth, rubbish, refuse matter, ice, water, mud, garbage, ashes, tin cans or other like substance.

2. Any wagons, lumber, wood, boxes, fencing, building material, dead trees, tree stumps, merchandise or other tin which shall obstruct such public street or sidewalk or any part thereof, or the free use and enjoyment thereof, or the free passage over and upon the same, or any part thereof, without the permission of the city council.

**SECTION 780. WATER FROM ROOF NOT TO BE DISCHARGED ON SIDEWALKS.**

It shall be unlawful for any person owning, occupying or having control of any premises to suffer or permit water from the roof or eaves of any house, building or other structure, or from any other source under the control of such person, to be discharged and spread upon the surface of any sidewalk.

**SECTION 781. RECEIVING GOODS.**

It shall be unlawful for any person to place or keep, or suffer to be placed or kept upon any sidewalk, any goods, wares, or merchandise which he may be receiving or delivering, without leaving a ten foot passageway clear upon such sidewalk; and it shall be unlawful for any person receiving or delivering such goods, wares or merchandise to suffer the same to be or remain on such sidewalk for a longer period than one hour.

**SECTION 782. DRIVING OR RIDING ON SIDEWALK.**

It shall be unlawful for any person to drive a self-propelled vehicle or team, or lead, drive or ride any animal upon any sidewalk, except across a sidewalk at established crossings.

**SECTION 783. GAMES ON SIDEWALKS OR STREETS.**

It shall be unlawful for any person to obstruct any sidewalk or street by playing games thereon, such as the game of ball, quoits, marbles, jumping, rolling of hoops, flying of kites, coasting or to annoy or obstruct the free travel of any foot passenger, team or vehicle.

**SECTION 784. CARRIAGE STEPS OR PLATFORMS.**

It shall be unlawful for any person to erect any carriage step or platform across the gutter or water ditch in front of his place of business or residence, which shall be more than four feet long, three feet wide and two feet high; such carriage step or platform must be constructed under the supervision of and in a manner satisfactory to the city council or their authorized agent.

## SECTION 785. WEEDS.

It shall be unlawful for any person owning, occupying or controlling any real property within the corporate limits of Park City, or the agent or representative of any such owner or occupant, to allow weeds or noxious vegetable growth to remain in or on such real property, or in or on the alleys abutting thereon, or the sidewalk areas in the front thereof to the curb line of the street for 48 hours after the receipt of notice from the city council to remove the same.

## SECTION 786. LOAFING.

It shall be unlawful for any person to remain standing, lying or sitting on any sidewalk for a longer period than two minutes, in such manner as to obstruct the free passage of foot travelers thereon, or wilfully to remain standing, lying, or sitting thereon in said manner for more than one minute after being requested to move by any police officer, or wilfully to remain on the sidewalk in front of any dwelling house or place of business in such manner as to obstruct the free passage of any other person into or out of such dwelling house or place of business.

## SECTION 787. SNOW TO BE REMOVED FROM SIDEWALKS.

It shall be unlawful for the owner, occupant, lessor or agent of any property abutting on any paved sidewalk to fail to remove or cause to be removed from such paved sidewalk all hail, snow, or sleet falling thereon, within one hour after such hail, snow, or sleet has ceased falling; provided, that in case of a storm between the hours of five o'clock in the afternoon and six o'clock in the morning, such sidewalk shall be cleaned before eight o'clock in the morning following such storm.

## SECTION 788. UNLAWFUL TO CLOG GUTTERS WITH SNOW.

It shall be unlawful for any person removing snow from a sidewalk as provided in the preceding section, or for any person by any means whatsoever, to deposit snow, dirt or other material in a gutter so as to clog the same, or prevent the free flow of water therein.

## SECTION 789. SIDEWALKS TO BE SWEEPED IN FRONT OF BUSINESS HOUSES.

It shall be unlawful for the owners or occupants of places of business within Park City, to fail to cause the sidewalk abutting thereon to be swept or cleaned each morning before the hour of eight o'clock a.m.

## SECTION 790. CULVERTS AND BOXES OVER WATER DITCHES.

It shall be unlawful for any person to convey water across any sidewalk within the limits of this city, except in a covered culvert or box extending the whole of the sidewalk; it shall likewise be unlawful for any person to use or maintain any such culvert or box without keeping the same in good repair.

## CHAPTER LIV

## SEALER OF WEIGHTS AND MEASURES.

## SECTION 791. HOW APPOINTED.

The mayor, by and with the advice and consent of the city council, may appoint a sealer of weights and measures, who shall qualify and give a bond for the faithful performance of his duties, in the sum of five hundred dollars, unless said office shall be held by the city marshal, in which event no bond other than that for marshal be required; but such bond for marshal shall in such case apply equally to the office of sealer of weights and measures.

## SECTION 792. OFFICE MAY BE HELD BY MARSHAL.

The office of sealer of weights and measures may be held by the city marshal or by the chief of the fire department.

## SECTION 793. GENERAL DUTIES.

He shall procure, and have the care and custody of the authorized public standards of weights and measures. He shall, at least one every six months, or whenever requested to do so by the owner thereof, try and prove by such standards all weights and measures scales and beams which may be in use in Park City, and after so proving such scales and beams he shall seal the same; and whenever requested to do so and upon payment of the required fee by any person, he shall examine and prove any weight, measure, scales or beams complained of.

He shall charge and collect therefor, and pay into the city treasury the fee provided by law, but he shall not collect fees for the inspection of any such weights, measures, scales or beams oftener than once in six months, except as above specified. He shall inspect all goods, wares or merchandise sold or offered for sale in Park City whenever, in his judgment he deems it necessary. He shall condemn and cause to be removed or destroyed any merchandise which is unwholesome or dangerous to the public health.

He shall open and inspect any sealed packages offered for sale in Park City and weigh or cause to be weighed the contents thereof. If at any time he shall have cause to believe that any coal, hay, grain, provisions, produce or merchandise is of less weight than is claimed for it he shall have the right, and it is hereby made his duty, to demand and examine the waybill or other evidence of weight, and to stop any such article in transit or in process of delivery, and have the same weighed, and if the weight as originally given proves to be false, the expense thereof shall be paid by the owner or seller by whom such short weight was made, or by the person in possession, at the discretion of the inspector, and such inspector may restrain and hold possession of all such articles until such expenses are paid.

## SECTION 794 DUTY AS TO SHORT WEIGHTS AND MEASURES. PENALTY

Any person dealing in or offering for sale any goods, wares or merchandise, who shall himself, or by agent, clerk or employee, give short weight or measure, or less than the full quantity of the article sold, shall be guilty of a misdemeanor, and upon conviction thereof shall be liable to a fine in any sum not exceeding two hundred dollars and for all damages occasioned by such offense to the party injured. Any person twice convicted under this ordinance shall forfeit his license, and it is hereby made the duty of the sealer of weights and measures to watch over the dealings of all dealers and persons offering wares for sale, either personally or as above specified, and to see that the ordinances are strictly complied with.

## CHAPTER LV

## SIGNS

## SECTION 795 ERECTION OF SIGNS, ETC.

It shall be unlawful for any person to erect or construct any sign, sign post, sign board, wood or metal awning, permanent advertisement, arch or any other structure, above, over, in or around any part of any street or sidewalk in Park City, without first obtaining permission so to do from the City council. Application for such permission shall be in writing, and shall contain the name of the person for whose benefit the same made, the period of time for which such permit is so desired, the place where such structure is to be erected or constructed, the dimensions thereof, the material of which the same is to be composed, and the manner of construction; which application shall be accompanied by a blue print or drawing or tracing of such proposed sign or other structure.

All signs hereafter erected that extend more than two feet beyond the property line over any street, alley or public way in Park City, must be constructed entirely of metal or other non-combustible material, and must be self-illuminated with at least four-candle power per square foot of exposed surface. No piece of glass having an area of more than one square foot shall be used in any projecting sign.

All signs now installed which project more than two feet beyond the property line over any street, alley or public way in Park City, must be self-illuminated or taken down.

Every sign hereafter erected under and pursuant to the provisions of this section, shall be placed at least ten feet above the surface of that part of the public way which any such sign overhangs, and the portion of any such sign nearest the building against which it is placed, shall not be a greater distance than two feet from such building.

No sign hereafter erected shall be permitted to project more than ten feet beyond the property line.

All sides of every sign required to be illuminated shall be illuminated at least seven hours per week of each week.

Every sign erected and maintained under and pursuant to the provisions of this section, shall comply with the rules and regulations of the bureau of mechanical inspection providing for the installation of wires, apparatus, electric, wiring heat, power and for the erection and installation of illuminated signs and displays.

For the purpose of this ordinance, illuminated signs shall be declared to be signs constructed as follows: Signs, all or any part of the letters of which are made in an outline of incandescent lamps; signs with painted flush or raised letters, lighted by electric lamp or lamps attached thereto; signs having a border of incandescent lamps attached thereto and reflecting light thereon, and transparent glass signs, whether lighted by electricity or other illumination.

The owner or person having charge or control of any sign, awning, shade or balcony, authorized by this chapter, shall pay the city an annual inspection fee to cover the inspection of such sign, the amount of said fee to be determined by the city council.

If any sign be found by the fire chief to be unsafe or dangerous, the same shall be forthwith repaired and rendered safe by the owner thereof or the person maintaining and controlling it; and if such sign be not forthwith repaired and made safe, the fire chief shall at once abate and remove it, and shall, if necessary, call upon the fire department for assistance in such abatement; and it shall be the duty of the fire department to so assist.

#### CHAPTER LVI

#### SPECIAL TAXES.

#### SECTION 796. POWERS OF COUNCIL.

When the city council shall deem it expedient to lay out, establish, open, extend, widen, any street or alley; improve, repair, light grade, pave, curb any gutter, sewer, drain, park or beautify the same or to establish grades, construct bridges, sidewalks, cross-walks, driveways from curb to property line, culverts, lighting equipment, sewers and drains, plant or cause to be planted, cultivated and maintained lawns, grass, and shade trees in the parking spaces therein; or to maintain, replace or renew any of such improvements; the same or any part thereof may be done in the manner provided in this chapter.

To defray the cost and expense of such improvements, or any of them, the city council may proceed, after acquiring jurisdiction as provided by law, to levy by ordinance special taxes and assessments upon the blocks, lots or parts thereof and pieces ground fronting or abutting upon or adjacent to the street or alley, thus in whole or in part opened, widened or improved, or which may be affected or specially benefited by any such improvements, to the full depth of such lots, parts of lots, or pieces of ground; provided, that where any lot or piece of ground is a

greater depth than 330 feet back from the street such assessment shall be levied upon such lots, or pieces of ground, to a depth of 330 feet only; provided further, that an allowance may be made for corner lots, so that they shall not be assessed at full rate on both streets.

## SECTION 797.

## NOTICE OF INTENTION.

In all cases before making any of the improvements or levying of any taxes for any local or special improvements, the city council shall give notice of intention to make such improvements, and to levy such tax, which notice shall state the purpose for which taxes are to be levied, the boundaries of the district to be affected or benefited by the improvements and in a general way describe the improvements proposed to be made, with the estimated cost as determined by the city council, and may designate one or several different kinds of service or of materials or forms of construction. Such notice shall be published for a period of at least twenty days in each issue of a newspaper published within the city. Such notice shall designate a time within which protests shall be filed with the city recorder. Each person who is owner of property to be assessed in the district mentioned in the notice shall have a right to file in writing a protest against making such improvement. If at or before the time fixed in such notice, written objections to the making of such improvements, and the levy of such tax, signed by the owners of two-thirds of the front feet (or in case the assessment be by square feet, then of two-thirds of the square feet) located by lots or blocks, of the property fronting or abutting on or adjacent to the streets or public alleys to be improved, or especially affected or benefited thereby, be filed with the city recorder, then such proposed improvements shall not be ordered made. If the owners of two-thirds of the property mentioned do not file such objections, then the city council shall have jurisdiction to order the making of the improvements mentioned in said notice.

Such notice shall be substantially in the following form:

## NOTICE OF INTENTION.

Notice is hereby given by the city council of Park City, Utah of the intention of such city council to make the following described improvements, to-wit:

(HERE DESCRIBED THE IMPROVEMENTS AND SPECIFY THE ONE OR SEVERAL KINDS OF SERVICE OR MATERIALS OR FORMS OF CONSTRUCTION)

According to plans, profiles and specifications on file in the office of the city engineer, and defray the abutters' portion of the cost and expense thereof by special assessment upon the lots and pieces of ground to be affected or benefited by such improvements, to be assessed according to front feet (or square feet), situated \_\_\_\_\_ ( heredescribe the district by boundaries, and also give estimate of the total cost of improvement and cost per front foot (or squar foot).

All protests or objections to such improvements or to the carrying out of such intention must be in writing, signed by the owners of the property affected or benefited, describing the same together with the number of front feet (or square feet) and be filed

with the city recorder on or before the \_\_\_ day of \_\_\_ 19 \_\_\_. The city council at its first regular meeting thereafter, to-wit: the day of \_\_\_ 19 \_\_\_, at \_\_\_ O'clock, will consider the proposed levy, and hear and consider such protests and objections to said improvements as shall have been made.

By order of the City Council of Park City, Utah,

\_\_\_\_\_  
City Recorder

Dated \_\_\_\_\_

Within five days after the first publication of such notice the city engineer shall furnish the city recorder and city treasurer a list of the owners of the property within the district affected by such improvements, and the recorder shall within five days thereafter, mail post paid to each of said property owners a copy of said notice addressed to the last known residence of such property owner. The city Engineer, shall, when directed so to do by the city council, prepare plans and specifications for said improvements.

SECTION 798. PROTESTS. HEARING.

At the first regular meeting of the city council after the time fixed in the notice of intention for the filing of protests with the city recorder, the council shall consider the proposed levy and shall hear and consider such objections or protests as have been made and unless written objections to the making of such improvements, signed by the owners of two-thirds of the front feet (or square feet), of the property affected or benefited by such improvements, have been filed with the city recorder the council shall have jurisdiction to proceed with the making of such improvements. If the council determines to proceed with the proposed improvements it shall make an order, which shall be entered of record upon the minutes of its proceedings, authorizing and directing the work to be done and the improvements made.

SECTION 799. NOTICE TO CONTRACTORS.

Before any special tax for special improvements shall be levied the city council shall cause to be published a notice to contractors calling for bids for the making of the improvements described in the notice of intention. Said notice shall be published for a period of at least twenty-days in each issue of a newspaper published in Park City. Said notice may be published concurrently with publication of notice of intention.

Where the assessment is to be levied for the cost of opening, widening, or extending streets or alleys, the purchase or condemnation price of the land shall be deemed the contract price and notice to contractors shall be dispensed with.

SECTION 800. IMPROVEMENTS INCLUDED.

The city council may include in any contract for work in any district any one or more of the improvements specified in this chapter and where any improvement in any extension varies as to character, width, extent or otherwise, the city council may assess the property fronting,

abutting upon, or adjacent to the street improved at varying rates in accordance with the character, width, or extent of the improvement, upon that portion of the street immediately abutting or adjacent to said property.

Section 801. LETTING OF CONTRACT.

The contract for the making of such improvements shall be duly let by the city council to the lowest responsible bidder for the kind of service or material or form of construction which may be determined upon by the city council after the opening of bids. The city council shall have the right to reject any or all bids.

Section 802. INTERIM WARRANTS.

The city council may, from time to time, as the work proceeds in any improvement district pursuant to contract duly entered into, issue to the contractor interim warrants against the improvement district for not to exceed ninety per cent in values of the work theretofore done, as evidenced by the estimates of the city engineer. Such warrants shall bear interest at the rate of six per cent per annum from the date of issue until fifteen days after the levy of the assessment. Said interim warrants and the interest thereon shall be taken up and paid by the special improvement warrants or special improvement bonds issued upon levy of assessment after completion of the work.

SECTION 803. BOARD OF EQUALIZATION.

Whenever the city engineer shall issue a certificate covering a portion of all of the work completed in any improvement district he shall file a copy of the same with the city council and said council shall thereupon appoint a board of equalization and review to consist of three or more of its members, which board shall, upon the completion of the lists of the property within the district, give public notice of the completion of such lists, which notice shall be published at least one day in a newspaper printed in the city and shall contain the date on which said board shall begin its sittings, which date shall be at least five days from the date of publishing such notice. Such notice shall state the time and place of meeting of said board, which shall be during the usual business hours and for not less than three consecutive days and during the time specified said lists shall be open to public inspection and any person feeling aggrieved shall have a hearing and said board shall have authority to make corrections in any proposed assessment and after said board shall have met for at least three days it shall make a report to the city council of any changes or corrections made by it in the assessment list, and upon such report being made to it, the city council shall proceed with the levy of such tax.

SECTION 804. ENGINEER'S CERTIFICATE.

Whenever the city engineer shall issue a certificate covering a portion of all of the work completed in any improvement district, he shall transmit a copy of said certificate, together with a plat of the property affronted, to the city treasurer and immediately, upon

receipt of said copy and plat, the city treasurer shall cause to be made an accurate list of the property affected, and immediately upon the completion of said assessment list the treasurer shall file a true copy thereof with the city recorder, who shall thereupon notify the board of equalization and review that the assessment list has been completed and a copy thereof filed in his office.

SECTION 805. LEVY OF TAX.

When the contractor has finished the work contracted for, or such part thereof as may be provided for in the contract; or when lighting service or park maintenance is commenced, after contract duly let, or after purchase or condemnation price has been fixed for land acquired for the opening, widening or extending of any street or alley; the city council shall pass an ordinance levying a special tax sufficient in amount to cover the cost of such improvements, as appears by the contract entered into for the performance of said work, or the purchase or condemnation price, plus an amount not to exceed 10 per cent for engineering and other expenses, upon the blocks, lots or parts thereof, or pieces of ground in front of or along or upon which said improvements has been completed according to said contract.

Said ordinance shall include:

(a) A reference to the proposed improvement and the district to be benefited.

(b) The total cost of the improvements to the blocks, lots or parts thereof, or pieces of ground in front of or along, or upon or adjacent to, which said improvement has been completed, and upon which said tax is levied, shall include the interest on interim warrants and the total contract price plus an amount not to exceed ten per cent thereof to cover the actual cost of engineering, inspection, mailing notices and making the levy.

(c) A description of the blocks, lots, or parts thereof, or pieces of ground affected or benefited by said improvement, and upon which said tax is levied.

(d) A determination of the manner of making the assessment of the special tax, in respect to front feet square feet, or other unit of measurement.

(e) A finding and determination of the benefit of the improvement to the property assessed.

(f) A declaration of the levy and assessment of the tax.

(g) A direction and authorization to the treasurer to assess and collect the tax.

(h) When the tax shall become due.

SECTION 806. SPECIAL TAX ASSESSMENTS. HOW MADE.

The assessment of special taxes for improvement purposes shall be made as follows: The total cost of the improvement, including interest on interim warrants, if any, the contract price plus an amount not to exceed ten per cent thereof to cover actual cost of engineering, inspecting, publishing notices and making the levy, shall be levied at one time upon the property and, unless otherwise provided in the ordinance of levy, shall be come delinquent as follows:

For paving, ten equal yearly installments, with interest on the whole sum unpaid at the rate of not to exceed seven per cent per annum, payable at the time each installment is due, to-wit: one-tenth thereof one year after the ordinance levying the tax for the payment of the improvement becomes effective; one-tenth thereof in two years after such ordinance becomes effective; one-tenth thereof in three years after such ordinance becomes effective; one-tenth thereof in four years after such ordinance becomes effective; one-tenth thereof in five years after such ordinance becomes effective; one-tenth thereof in six years after such ordinance becomes effective; one-tenth thereof in seven years after such ordinance becomes effective; one-tenth thereof in eight years after such ordinance becomes effective; one-tenth thereof in nine years after such ordinance becomes effective; and one-tenth thereof in ten years after such ordinance becomes effective.

For sidewalks, sewers, drains, curbing and guttering in five equal yearly installments, with interest on the whole sum unpaid at the rate of not to exceed seven per cent per annum, payable at the time each installment is due, to-wit: one-fifth thereof one year after the ordinance levying the tax for the payment of the improvement becomes effective; one-fifth thereof in two years after such ordinance becomes effective; one-fifth thereof in three years after such ordinance becomes effective; one-fifth thereof in four years after such ordinance becomes effective; and one-fifth thereof in five years after such ordinance becomes effective.

For opening, widening or extending of streets or alleys, installation of lighting equipment, and setting out and planting of lawn, grass, and shade trees in parking spaces in three yearly installments, with interest on the whole sum unpaid at the rate of not to exceed seven per cent per annum, payable at the time each installment is due, to-wit: One-third thereof one year after the ordinance levying the tax for the payment of the improvement becomes effective; one-third thereof in two years after such ordinance becomes effective; and one-third thereof in three years after such ordinance becomes effective.

For lighting service in ten equal yearly installments with interest on any delinquent installment unpaid at the rate of ten per cent per annum, which interest shall be charged from and after the due date of each installment, to-wit: One-tenth thereof fifteen days after the ordinance levying the tax for the payment of the improvement becomes effective; one-tenth thereof in one year thereafter; one-tenth thereof in two years thereafter; one-tenth thereof in three years thereafter; one-tenth thereof in four years thereafter; one-tenth thereof in five years thereafter; one-tenth thereof in six years thereafter; one-tenth thereof in seven years thereafter; one-tenth thereof in eight years thereafter; one-tenth thereof in nine years thereafter.

For park maintenance, in one installment payable fifteen days after the ordinance levying the tax becomes effective, with interest at the rate of ten per cent per annum upon the whole of the said amount due if not paid when due.

## SECTION 807. PAYMENT OF TAX.

One or more of such installments in the order payable, or the whole tax, may be paid without interest within fifteen days from the date the ordinance levying the tax becomes effective. One or more installments in the order in which they are payable, or the whole special tax, may be paid after fifteen days and before the next installment becomes due by paying the same with interest from the date of levy to the date such next installment is due. One or more installments in the order in which they are payable, or the whole special tax, may be paid on the date any installment becomes due by paying the amount thereof and interest to the date of payment. Default in the payment of any such installment or principal or interest when due shall cause the whole of the unpaid principal and interest to become due and payable immediately and the whole amount of the unpaid principal shall thereafter draw interest at the rate of ten per cent per annum, until paid, but at any time prior to the date of sale the owner may pay the amount of all unpaid installments past due with interest at the rate of ten per cent per annum to the next installment date, together with all accrued costs, and shall thereupon be restored to the right thereafter to pay any installments in the same manner as if default has not been suffered.

## SECTION 808. SPECIAL IMPROVEMENTS WARRANTS.

In any instance where a special tax or assessment is levied for the purpose of making or paying for any of the improvements authorized by law, the city auditor shall, fifteen days after the ordinance levying such tax becomes effective, issue special improvements bonds or special improvements warrants as directed by the city council in payment of the cost and expense of such improvements and against the funds created by said special tax levy. Such warrants or bonds shall be consecutively numbered and in form, wording and color different and to distinguish them from other bonds of the city shall be drawn payable to bearer and issued in denominations of one thousand dollars (\$1000.00), five hundred dollars (\$500.00), one hundred dollars (\$100.00) or fifty dollars (\$50.00), except the last issued which may be for a lesser amount. Said warrants or bonds shall be so divided that substantially an equal proportion of the total issue will be due and payable in series or installments annually during the period in which such special tax is to be paid, as provided in the ordinance levying the tax. All such warrants or bonds shall be dated as of the date when the ordinance levying such tax becomes effective and shall bear interest at the rate of not to exceed seven per cent per annum from date until due and at the rate of eight per cent per annum thereafter until paid; provided, however, that warrants or bonds issued for light service or park maintenance shall bear interest only from and after the due date. All interest shall be paid annually and shall be evidenced by interest coupons attached to such warrants or bonds and attested by the facsimile signature of the city auditor.

Unless otherwise ordered by the city council, said warrants or bonds shall be issued by the city auditor, payable in annual series or installments as follows: to wit: If issued on account of paving improvement, or lighting service, in ten equal yearly series or installments. If issued on account of sidewalk, sewer, drain, or curbing and guttering improvement in

five equal yearly series or installments; if issued on account of opening widening or extending streets or alleys, installation of lighting equipment, setting out or planting of shade trees or lawn grass in three equal yearly series or installments. Said warrants or bonds shall indicate the time when each installment is due and provide that interest at the rate of not to exceed seven per cent per annum on the whole sum unpaid shall be due and payable at the time each series or installment is due, except that warrants or bonds issued for lighting service or park maintenance shall provide no interest until after such series or installment becomes due and in case of failure to pay any series or installment at the time same is payable, the unpaid principal due at said time shall draw interest at the rate of eight per cent per annum.

Special improvements bonds shall be issued in such form as may be approved by the city council, and shall be signed by the mayor and city auditor and attested by the city recorder, who shall affix his official seal thereto.

SECTION 809. POSTING OF NOTICES.

In all cases where it is necessary to give notice, said notice may be given by posting instead of publishing the notice; provided, that the said notice shall be posted in five conspicuous places in Park City, and the said notice shall be posted for a period of not less than twenty (20) days, and in no case shall the notices herein provided for be posted for a shorter time than is required for the publication of the same in a newspaper of general circulation.

SECTION 810. FORM.

Special improvement bonds issued pursuant to the provisions of the preceding section shall be in substantially the following form:

UNITED STATES OF AMERICA  
STATE OF UTAH  
COUNTY OF SUMMIT.

No. \_\_\_\_\_ \$ \_\_\_\_\_  
PARK CITY, UTAH, SPECIAL IMPROVEMENT BOND.

Extension Number \_\_\_\_\_

KNOW ALL MEN BY THESE PRESENTS:

That Park City, in the county of Summit, State of Utah, a municipal corporation duly organized and existing, for value received hereby promises, out of funds available for the purpose as hereinafter set forth, to pay to bearer on \_\_\_\_\_ the sum of \_\_\_\_\_ (\$ \_\_\_\_\_) in lawful money of the United States of America with interest at the rate of \_\_\_\_\_ per cent per annum, payable annually in like money on \_\_\_\_\_ each year, upon the presentation and surrender of the interest coupons hereto attached, both principal and interest being payable at the office of the City Treasure, Park City, Utah. In the event of failure to pay this bond when due, it shall draw interest at the rate of eight per cent per annum until paid.

This bond is drawn upon the city treasurer against the special tax levied upon the property included in \_\_\_\_\_ Extension No. \_\_\_\_\_ of said city, to pay the cost of \_\_\_\_\_ construction done in said district of extension, under, by virtue of and in full conformity with the constitution and laws of the state of Utah, and also ordinances of said city duly passed and made a law thereof prior to the issuance hereof.

A special improvement guarantee fund has been created by said city as provided in article 8 of title 15, R.S.U. 1933, and said city agrees that at all times during the life of this bond and until payment thereof in full, said fund shall be at all times maintained. This bond is payable exclusively out of said special tax and said special improvement guarantee fund, and neither said city nor any officer thereof is holden for the payment thereof otherwise.

It is hereby certified, recited and declared that all acts, conditions and things essential to the validity of this bond exist, have happened and have been done in due time, form and manner as required by law, and that the total issue of bonds of said city for said extension or district, including this bond, does not exceed the taxes levied to cover the cost of said improvement and that all of said taxes have been lawfully levied.

IN WITNESS WHEREOF, Park City, Utah, has caused this bond to be signed by its mayor and attested by its city recorder, and drawn by its city auditor on its treasurer and the annexed coupons to bear the facsimile signature of said city auditor, and this bond to be dated \_\_\_\_\_.

\_\_\_\_\_  
MAYOR.

ATTEST:

\_\_\_\_\_  
City Recorder

\_\_\_\_\_  
City Auditor

and shall have attached thereto appropriate interest coupons to read as follows:

Coupon No. \_\_\_\_\_ \$ \_\_\_\_\_

On \_\_\_\_\_ Park City, Utah, will pay to bearer, at the office of the city treasurer, Park City, Utah, the sum of \$ \_\_\_\_\_ lawful money of the United States of America, being one year's interest due on that date on its \_\_\_\_\_ Extension No. \_\_\_\_\_ bond, date \_\_\_\_\_ this coupon being payable exclusively from the funds described in said bond.

Bond No. \_\_\_\_\_

\_\_\_\_\_  
City Auditor

Special improvement bonds heretofore issued, all of which substantially comply with the above form, are hereby approved and validated.

## SECTION 811. PAYMENT TO CONTRACTOR AND CITY.

All sums collected by the city treasurer within fifteen days after the ordinance levying the tax becomes effective shall be paid to the contractor having the contract to make the improvements to pay for which such tax is levied less not exceeding ten per cent, to be retained by the city on account of levying, engineering, inspecting, publishing notices, and other expenses by the city incident to such improvement and the levy and collection of such tax.

## SECTION 812. EXTENSIONS. PARKING ASSESSMENT.

The city council may exempt any lot or piece of ground from the levy of the tax for setting out and planting of lawn, grass and shade trees in parking spaces or for park maintenance when the owner of such property shall, at any time prior to the execution of the contract for the work, make showing satisfactory to said council that he has commenced, and will continue to its completion, to set out and plant said lawn, grass and shade trees in the parking space abutting his property, in accordance with the plan of the city engineer, and that he will maintain same in good condition thereafter.

## SECTION 813. ORDINANCE LEVYING TO BE CERTIFIED TO TREASURER.

It shall be the duty of the city recorder, immediately after the ordinance levying a special tax shall become effective, to transmit a certified copy thereof to the city treasurer.

## SECTION 814. NOTICE OF SPECIAL TAX.

Immediately upon the receipt by the city treasurer of the certified copy of the ordinance levying a special tax or assessment, as provided herein, the city treasurer shall give at least five day's notice in one or more papers having a general circulation in the city, of the time when such tax or assessment shall become delinquent; such notice shall be substantially in the following form:

NOTICE OF SPECIAL TAX.  
TO WHOM IT MAY CONCERN,

Notice is hereby given that a special tax for the purpose of (here insert briefly a description of the improvement for which the tax is levied) has been levied by ordinance of the city council of Park City, Utah, which became effective on the \_\_\_\_\_.

Said special tax is levied upon the following described real property in Park City, to wit: (Here insert a full description of the property affected by the levy, according to lots, blocks, or parts thereof, or pieces of ground as the same may have been platted and recorded), and is due and payable in equal annual installments, beginning \_\_\_\_\_.

Interest at the rate of \_\_\_\_\_ (not to exceed seven) per cent per annum on the whole amount of said tax shall be computed from the date of ordinance levying said tax becomes effective, to wit: the \_\_\_\_\_ day of \_\_\_\_\_ 19\_\_\_\_; and interest at said rate on the whole amount of said tax unpaid shall be due and payable with each installment. (Above sentence will be eliminated when tax is levied for lighting service or park maintenance.) If any installment or the interest aforesaid is not paid on the date when the same becomes due, then the whole amount of the tax unpaid at the time said installment and interest are due will become due and payable, and will draw interest at the rate of ten per cent per annum until paid. One or more of said installments in the order in which they are payable aforesaid, or the whole tax, may be paid at any time within fifteen days after the ordinance levying the tax becomes effective, without interest; and one or more of said installments in the order in which they are payable, or the whole tax unpaid, may be paid on the day any installment is due, by paying the amount thereof and interest to said day. If said tax is not paid when due, I shall proceed at once to collect same with interest and costs, as provided by law and ordinance.

All special taxes are payable at my office, room \_\_\_\_\_ City Hall, Park City, Utah.

Dated at Park City, Utah, this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_.

\_\_\_\_\_  
City Treasurer and Collector of  
special taxes.

SECTION 815. NOTICE OF SPECIAL TAX FOR MAILING.

As soon as possible after the first publication of such notice, and not more than five days after the receipt by him of the certified copy of the ordinance levying a special tax or assessment, the city treasurer shall cause to be deposited in the mail, postpaid and addressed to the several owners of the property affected by the levy, as they may then appear upon the records in the office of the county assessor, at their last known post office address, a personal notice, containing the facts relating to the assessment and substantially in the form provided for published notice.

SECTION 816. DELINQUENT LIST AND NOTICE OF SALE.

After the date of delinquency, as fixed in the levy and notice of tax, the city treasurer shall proceed to make up a list of all property upon which the special tax remains due and unpaid, and upon completion cause the same to be published once in some newspaper having general circulation in the city. Said delinquent list shall contain a description of the property delinquent according to lots, blocks, or parcels together with the owners' name or names, if known, and if not known, in lieu thereof, the words "Unknown Owner," with the amount of taxes due, on each separate parcel, exclusive of costs, and shall be accompanied by a notice of sale substantially in the following form:

## NOTICE OF SALE FOR SPECIAL TAXES.

Notice is hereby given that special taxes for (here insert briefly the purpose of tax) are due and unpaid in amounts and upon the lands set forth and described in the delinquent list hereto attached, and unless said taxes, including interest, together with the cost of publication, are paid on or before the \_\_\_\_\_ day of \_\_\_\_\_ (here fix a day at least two days from the date of publication) the real property upon which such taxes are a lien, will on said day be sold for said taxes, interest, costs of advertising and expense of sale, at the front door of the City Hall in Park City, Utah, beginning at hour of twelve o'clock noon, of said day, and continuing until all of said property shall have been sold.

## SECTION 817. CHARGE OF PREPARING NOTICE OF SALE.

The city treasurer shall tax against each parcel of land advertised as delinquent the sum of fifty cents for preparing the notice of sale together with cost of advertising the delinquent and shall after the first publication in all instances of payment, sale or redemption, collect such amounts in addition to the tax.

## SECTION 818. MINIMUM SALE PRICE.

In no case shall land advertised for sale for delinquent special taxes be sold for less than the amount of such special taxes, interest, the cost of advertising and expense of sale.

## SECTION 819. SALE.

On the day fixed for the sale, the city treasurer; in person or by deputy, shall appear at the hour and place named in the notice of sale, and shall there offer sufficient of the delinquent real estate to pay the taxes, interest and cost, at public auction to the highest responsible bidder for cash. The offer of sale shall be substantially in the following language: "there is delinquent upon (here describe the piece of property as in the notice) special taxes amounting to \$\_\_\_\_\_ including interest, with costs and expense of \$\_\_\_\_\_. What is the smallest portion of the property which you will take and pay the taxes, interest, cost and expenses?" If the sale is not concluded by four o'clock in the afternoon, of the day advertised, it may be, by the treasurer, continued until noon of the next succeeding business day, and thereafter in the same manner proceeded with and continued until completed.

## SECTION 820. SALE TO CITY.

In case no bid, at least equal to the amount of tax, principal and interest, cost of advertising and expenses of sale, on each separate parcel, is received, as each separate parcel is offered for sale, such parcel shall be bid in for Park City, and shall be purchased by Park City for the amount of the tax, principal and interest, the cost of advertising and expenses of sale, and such sale shall have the same effect as if made to an individual.

The city auditor shall draw a warrant for the above specified amount of the purchase price against the special improvement guarantee fund and in favor of the city treasurer for the special fund for which said tax was levied.

SECTION 821. SALE OF CERTIFICATE.

The city may sell and assign any certificate of sale upon payment to it of the amount mentioned in said certificate, together with interest at ten per cent per annum from date of sale to date of assignment, and all moneys received therefrom shall be paid into the special improvement guarantee fund.

SECTION 822. TAX SALE RECORD.

The treasurer shall make a record of all sales of real property in a book to be kept by him for the purpose, therein describing the several parcels of real property on which the taxes, interest, costs and expenses were paid by purchasers, in the same order as that in which said property was advertised for sale, stating in separate columns, the property, the amount of the tax, interest, the costs and expenses, how much and what part of each tract was sold, to whom sold, the date of sale and the day of redemption. At the end of each calendar year the book shall be endorsed "city treasurer's special tax sale record for the year" and it shall then be filed in his office. Whenever thereafter, any portion of property so sold shall be redeemed, the fact of redemption shall be, by the treasurer, entered opposite the description of the property in the tax sale record. At the expiration of three years from the date of filing in his office, the city treasurer shall file each yearly tax sale record in the office of the city recorder.

SECTION 823. CERTIFICATE OF SALE.

When real estate is sold for special taxes, the treasurer shall make out, sign, acknowledge and deliver, a certificate of sale which shall recite the facts of sale as in the tax sale record, and what payment has been made therefor, and shall be substantially in the following form:

PARK CITY CORPORATION, TREASURER'S OFFICE.

CERTIFICATE OF SALE FOR SPECIAL TAX.

THIS CERTIFIES, that on \_\_\_\_\_ in pursuance of law and ordinance, I, \_\_\_\_\_ ad city treasurer and collector of special taxes for Park City, Utah, sold to \_\_\_\_\_ subject to redemption, as provided by law, the following property in Park City, for delinquent special taxes assessed against property in the name of \_\_\_\_\_ to wit:

DESCRIPTION.

Ext. No. \_\_\_\_\_ Page \_\_\_\_\_  
 Frontage abutting said improvement to the full depth back therefrom, ( or  
 other depth) \_\_\_\_\_  
 Feet \_\_\_\_\_ of Lot \_\_\_\_\_ Block \_\_\_\_\_ Plat \_\_\_\_\_.

## TAX AND COSTS.

Amount of tax	\$	
Interest to date of sale	\$	
Advertising	\$	.50
Certificate of Sale	\$	2.00
Total tax and costs at date of sale		\$

Dated at Park City, Utah \_\_\_\_\_  
day of \_\_\_\_\_ 19 \_\_\_\_.

City Treasurer and Collector  
of Special Taxes  
(Acknowledgment in Statutory  
form)

## SECTION 824. INTEREST.

Interest at the rate of ten per cent per annum shall be charged on the full amount for which the property was sold from date of sale.

## SECTION 825. FEES.

The treasurer shall collect a fee of two dollars for each certificate issued, which fee shall be paid into the city treasury.

## SECTION 826. CERTIFICATE OF SALE TO CITY.

When property is sold to the city, the certificate of sale shall be delivered to the city recorder, whose duty it will be to see that such certificate is properly recorded in the office of the County Recorder, and shall thereafter be kept as a part of the records of the city recorder's office.

## SECTION 827. GENERAL TAXES ON DELINQUENT PROPERTY.

Between the 15th day of November and the 15th day of December, in each year, the city recorder may ascertain, by examination of the county records, what, if any, of the property sold to Park City, is delinquent and about to be sold for general taxes, and report the property and the amount of taxes in each instance, to the city council, with a request that the amount thereof be appropriated to Summit County. The city council may appropriate the amount as recommended by the city recorder, and he shall thereupon draw a warrant in favor of Summit County for the total sum of such delinquent taxes and deliver the same to the county treasurer, taking duplicate receipts for each separate piece or parcel of property upon which the general taxes are thus paid. The city recorder shall thereupon deliver one of each such receipts to the city treasurer and file and attach the other to the corresponding certificate of sale in his office. Upon receiving such receipt, the city treasurer shall make entry on his tax sale record, opposite the corresponding property, of the date and amount of tax as paid. Such taxes shall thereafter draw interest at the rate of ten per cent per annum, and shall be included in the amount required to be paid for redemption of such property.

## SECTION 828. REDEMPTION.

Real estate sold for special taxes may be redeemed by any person interested therein, at any time within three years after the date of sale thereof, by such person paying to the city treasury, for the use of the purchaser or his legal representative, the amount paid by such purchaser, and all costs and expenses, including the cost of the certificate of sale, together with the sum of fifty cents for the redemption certificate, and all special taxes that have accrued thereon and which have been paid by the purchaser after his purchase to the time of redemption together with interest at the rate of ten per cent per annum on the whole from the date of payment to the day of redemption; provided, that in all cases where property has been sold to Park City, and general taxes thereon have been thereafter paid by such city, it shall be necessary also for a redemptioner to pay the amount of such general taxes, so paid as aforesaid with interest thereon from the date of payment to the day of redemption, at the rate of ten per cent per annum, and provided, further, that when two or more parties are interested in a piece of property which has been sold for taxes, either party may redeem the property in which he is interested, upon payment of that proportion of the taxes, interest and costs which his property bears to the whole property sold, together with the sum of fifty cents for a redemption certificate.

## SECTION 829. CERTIFICATE OF REDEMPTION.

The city treasurer shall, when any property is redeemed, make the proper entry in the tax sale record filed in his office, and issue a certificate of redemption, which certificate shall be, by him, acknowledged, and which said entry or said certificate shall be prima facie evidence of such redemption.

## SECTION 830. NOTICE OF REDEMPTION.

In all cases where property sold to Park City is redeemed, the city treasurer shall issue a formal notice of such redemption in writing, and file the same with the city recorder, whose duty it shall be to attach such notice to the corresponding certificates of sale on file in his office, and indorse on the filing face of such certificate, in red ink, the word "Redeemed" and the date of redemption.

## SECTION 831. TAX DEED.

If any property sold as aforesaid be not redeemed within the time and in the manner in this chapter provided, upon the deposit of the tax sale record for the year in which said property was sold, by the treasurer with the city recorder, the city recorder shall make and acknowledge a deed conveying the property therein described to the purchaser, his heirs or assigns, as the case may be. If any person shall be entitled to receive deeds for more than one parcel of property, he may have the whole included in one deed, but each parcel shall be separately described. In January of each year, or as soon thereafter as the business of his office will permit, the city recorder shall make and acknowledge a deed conveying to Park City all property purchase in the name of the city at special tax sale and not theretofore redeemed, as in this

chapter provided, and deliver the same to the city treasurer, whose duty it shall be to see that such deeds are properly kept on file in his office, for the benefit of the special improvement guarantee fund. Deeds issued by the city recorder in pursuance of the provisions of this chapter, shall recite substantially the amount of tax for which the property was sold, the particular purpose of the tax levied, the year in which the levy was made, the day and year of sale, the amount for which the real estate was sold, a description of the property sold, in accordance with the certificate of sale, the name of the purchaser, or purchaser's assignee, and shall be executed by the city recorder on behalf of the city, and by him acknowledged so as to be entitled to record.

SECTION 832. TAX DEED RECORD.

The city recorder shall keep on file in his office a record of all tax deeds issued by him, which shall be a fac simile copy of the deeds so issued, and which shall be indexed in the name of the party whose property was sold for taxes, and also in the name of the individual to whom the tax deed was issued.

SECTION 833. RECORDER'S FEES.

The city recorder shall collect two dollars for each deed issued, for the first description of property contained in such deed, and for each additional description of property in such deed, one dollar, and cover such fees monthly into the city treasury; provided, that in cases where Park City is the tax sale purchaser, no fee shall be collected.

SECTION 834. REDEMPTION AFTER DEED.

When ever property sold for special taxes and bought in by Park City shall not have been redeemed within the time specified, but shall have been conveyed to Park City by recorder's deed, such property may there after be redeemed by the prior owner, his heirs, personal representatives or assigns, upon petition therefor addressed to the city council, and upon such terms as the city council may determine; and the proceeds of such redemption shall be paid into the special improvement guarantee fund.

SECTION 835. SALE BY CITY TREASURER.

The city treasurer may at any time after due publication thereof in at least three issues of a daily newspaper having general circulation in the city or by posting notice in not less than three public places in the city, offer for sale at the front door of the City Hall, at the time specified in the notice, all real property, to which the city had received a tax deed on account of sale for delinquent taxes, not theretofore redeemed any may sell the same to the highest satisfactory bidder. The city council shall authorize the mayor and the city recorder to execute the deed of Park City for any property thus sold. All such property for which there is no purchaser at the sale provided for in this section may thereafter be disposed of by the city council at either public or private sale. Proceeds received from all such sales shall be paid into the special improvement guaranty fund.

SECTION 836. REFUNDING EXCESS SPECIAL TAXES.  
CITY ENGINEER.

The city engineer shall report to the city council the actual cost of each improvement, to defray which, a special tax has been levied by the city council, as soon as the actual cost can be ascertained. Such report shall also show the difference, if any, between the actual cost and the tax levied, both by total and by the foot frontage abutting upon such improvement. He shall also, at the same time, file one copy of such report with the city treasurer, and one copy with the city recorder.

SECTION 837. CITY TREASURER.

The city treasurer, immediately upon the receipt of the engineer's report shall forward to the city auditor a list of all persons who have paid into the city treasury any portion of such special tax, together with the amount so paid, which may be in excess of the actual cost of the portion of such improvement, upon which the lot or parcel of land belonging to each of such persons abuts, and which has been assessed for such improvement. The treasurer's report shall also show the abutting frontage of each of such persons, and the amount of tax assessed against each.

SECTION 838. CITY COUNCIL.

The city council, upon the receipt of the report, shall (if deemed just and proper) appropriate to each person entitled there- to any portion of such special tax paid by him into the city treasury, which may be in excess of the actual cost of the portion of such im- provement, upon which the lot or parcel of land belonging to such per- son abuts, and which has been assessed for such improvement; and shall rebate and remit the portion of such tax which is in excess of the actual cost of such improvement.

SECTION 839. SPECIAL IMPROVEMENT GUARANTEE FUND.

There is hereby created a special fund to be known as "special improvement guarantee fund," which said fund shall be used for the purpose of guaranteeing to the extent of said fund the payment of special improvement bonds, or special improvement warrants, and interest thereon heretofore or hereafter issued again- st local improvement districts, for the payment of local improvements therein, and for the purchase of property sold to the city at tax sales or under the foreclosure for delinquent special taxes.

SECTION 840. CREATION OF FUND.

The city council shall create and maintain said special improvement guarantee fund by appropriation from the general fund, or by the levy of a tax of not to exceed one mill in any one year, or by the issuance of general obligation bonds, or by appropriation from such other sources as may be determined upon by said council to provide the moneys necessary for that purpose. Said fund shall be held by the city treasurer and shall be kept by him separate and apart from all other funds held by him. Payments out of said fund shall be made only upon warrants drawn by the city recorder.

## SECTION 841. INTEREST AND PENALTIES.

All excess charges and penalties collected by the city treasurer for the benefit or credit of any special improvement fund and remaining on hand after all bonds or warrants, together with interest thereon, drawn against said special improvement fund shall have been paid in full and cancelled, shall be transferred by the city recorder to the special improvement guarantee fund.

## SECTION 842. PAYMENT OF BONDS OR WARRANTS.

When any bond, warrant or coupon drawn against any special improvement fund is presented to the city treasurer for payment, and there is not a sufficient amount in special improvement fund against which it is drawn to pay the same, unless otherwise requested by the holder, payment therefor shall be made by warrant drawn by the city recorder against the special improvement guarantee fund.

## SECTION 843. REPLENISHMENT OF FUND.

Whenever there is not a sufficient amount of cash in said special improvement guarantee fund at any time to make any and all purchased of property bid in by the city at sales of property for delinquent special improvement taxes, the city council shall replenish said special improvement guarantee fund by transfer or appropriation from the general fund or other available sources as determined by the city council.

Warrants drawing interest at a rate of not to exceed eight per cent per annum may be issued by the city recorder against said fund to meet any financial liabilities accruing against it; but at the time of making its next annual tax levy, the city council shall provide for a levy of a sum sufficient with the other resources of the fund to pay warrants so issued and outstanding, the tax for this purpose not to exceed one mill in any one year.

## SECTION 844. SUBROGATION OF CITY.

Whenever the city shall have paid under its guarantee any sum on account of principal or interest on the bonds or warrants of any district, it shall be subrogated to the rights of the holders of such bonds or warrants or interest coupons so paid, and such bonds or warrants, or coupons, and the proceeds thereof, shall become a part of the guarantee fund.

## CHAPTER LVII.

## STREETS.

## SECTION 845 RESTORATION AFTER EXCAVATION.

Whenever an excavation for any purpose is made or permitted in a public street under or by the order of the department having power to grant such permit, the street shall be restored to its normal condition by the person or department making the excavation, without unnecessary delay, and, if it is not restored in a manner satisfactory to the supervisor of streets, although it may not be dangerous to public travel, the said supervisor shall notify the person who made the excavation forthwith to make such further restoration as the said supervisor deems necessary, and if such person neglects so to do, the said supervisor shall cause such restoration to be made and shall charge such person therefor; and, until such restoration is completed, he shall protect the public from injury by reason of such defect.

## SECTION 846. WRITTEN NOTICE TO STREET SUPERVISOR OR EXCAVATIONS.

It shall be unlawful for any person in Park City to make or cause to be made any excavation in any public street, or to remove any gravel or other similar thing from any street, unless he, or the head of the department under whose direction the work is being done, has first been authorized by the supervisor of streets to make such excavations and of the time when and place where such excavations will be made.

## SECTION 847. STREET EXCAVATIONS.

It shall be unlawful for any person to make any excavation in any street, lane, or alley, or remove any pavement or other materials forming any street or improvement thereon without a permit from the supervisor of streets.

It shall be unlawful for any person to make any excavation in the pavement of any street, for a period of at least five years from the date of completion of said paving, except by permit issued by the city council. Provided, however, that in the event of a break or leakage in any watermain, or other pipe under any pavement, a permit shall, after investigation, be issued by the supervisor of streets for the cutting of the pavement to make the necessary repairs or for the tapping or drilling of the pavement to locate the leakage; provided, further, that any person desiring to tap or drill any pavement shall do so only after receiving the permission of the supervisor of streets and in the presence of a duly authorized city inspector, and shall promptly seal such drill holes in the presence of the inspector with paving material of the same character as the pavement already laid, and in a workmanlike manner.

## SECTION 848. FAILURE TO REPLACE STREET.

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 three days after notice from the supervisor of streets, to restore said street to its normal condition.

SECTION 849. EXCAVATIONS MUST BE GUARDED WITH BARRICADES AND LIGHTS.

It shall be unlawful for any person, by or for whom any excavation is made in a public street for 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; and it shall be unlawful for any person to fail to have lighted lanterns or some other proper and sufficient lights 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 maliciously or wantonly, and without legal cause, to extinguish, remove or diminish said lights or to tear down or remove any rail, fence or barricade fixed in accordance with the provisions of this section.

SECTION 850. PERMIT TO OCCUPY STREET WITH BUILDING MATERIAL.

It shall be unlawful for any person to occupy or use any portion of a public street for the erection or repair of any building abutting thereon, without first making application to and receiving from the city council a permit for the occupation or use, for building purposes, of such portions of streets, and for such periods of time and under such limitations and restrictions as may be required by ordinance or by the public convenience; provided; that no permit shall be granted to occupy more than 10 feet from the curb line, and any such permit may be revoked by the city council, at any time, when the holder thereof fails to comply with any rule or regulation under which it is granted, or when, in the opinion of the city council, the public good requires such revocation.

SECTION 851. FENCE AND WALK. AROUND STREET USED FOR BUILDING PURPOSES. REMOVAL. RESTORATION OF WALK. BRIDGING WALK. ADVERTISEMENTS. PAINTING.

It shall be unlawful for any person to occupy any portion of any street while erecting or repairing a building, or making an excavation, or for any other purpose, even with the permit provided for in the last preceding section, unless he shall first build around the portion of the street to be occupied a board fence, at least six feet high, surrounded by a good substantial board walk, at least four feet in width. Said fence shall be made of clean lumber, dressed on the side facing the street, and at no time shall said fence have thereon any painted, printed or other advertisements. All openings in said fence must be provided with gates opening inward.

It shall be unlawful for any person to place upon any building, fence or other structures, such building fence or other structure being within two feet of any sidewalk in this city, any paint or other substance, without first erecting and maintaining above such sidewalk, or between the same and such building, fence or other structure, as the case may be a barrier sufficient to protect pedestrians from such paint or other substance falling upon them, or from coming in contact with such paint or other substance.

## SECTION 852. PILING OR MIXING MORTAR, ETC., ON STREETS.

It shall be unlawful to place or pile, or cause to be placed, or piled, any sand, gravel, lime, cement, mortar, plaster, concrete, or any other substance or mixture, or to allow the same to remain on any portion of any paved street or sidewalk in Park City, or to make or mix, or to cause or permit to be made or mixed, any mortar, plaster, concrete, or any other like substance or mixture on any portion of any paved street or sidewalk in Park City; provided, that in cases where work is being done on buildings or pavements, the city council may grant the person or contractor doing such work permission to mix cement, concrete, or building materials, in tight boxes, or on tightly joined boards, on such pavements or walk under such restrictions as the city council may deem proper.

## SECTION 853. SCAFFOLD OVER STREET, PERMIT. REVOCATION.

It shall be unlawful for any person to erect, build, maintain, swing or use any scaffold, ladder or staging over or upon any street or sidewalk for the purpose of cleaning, painting, repairing or remodeling any building or other structure, or for the purpose of erecting, painting, cleaning, repairing or servicing of any awning, canopy or sign, or for any other purpose, without first obtaining from the supervisor of streets a permit for the occupation and use of said street or sidewalk for such purpose, and for such periods of time and under such limitations, and regulations as may be required or promulgated by the supervisor of streets. Provided, that such permit may be revoked by the supervisor of streets when the holder thereof fails to comply with any ordinance, rule, or regulation under which it is granted, or when in the opinion of the supervisor of streets, public convenience and safety require such revocations. Provided further, that when, in the opinion of the supervisor of streets, the welfare and convenience of the public will be best served, a continuing permit, revocable as hereinbefore provided, may be issued for the sole purpose of cleaning and servicing awnings and signs.

Permits issued under this section shall be nontransferable and any holder of a permit allowing any other person except his duly appointed employees or agents to use said permit shall be guilty of a misdemeanor and shall have his permit revoked.

## SECTION 854. DEPOSITING MATERIAL ON STREETS PROHIBITED.

It shall be unlawful for any person intentionally or carelessly to throw, cast, 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 or rubbish of any kind or any other substance which shall render such highway unsafe or unsightly or shall interfere with travel thereon.

## SECTION 855. DISTRIBUTION OF ADVERTISEMENTS IN BUSINESS DISTRICT PROHIBITED.

It shall be unlawful for any person to distribute in any manner any circular, hand-bill, poster, or any advertisement whatever in or upon any of the streets or alleys within the business districts as defined by these ordinances.

## SECTION 856. SOLICITING UPON STREETS PROHIBITED.

It shall be unlawful for any person to solicit patronage for any lodginghouse, apartment house, restaurant or cafe, or to solicit patronage for any purpose whatever in front of any regularly established place of business or in or upon any public street or ally or other public place in Park City; provided that the provisions of this chapter shall not be construed to prohibit any person duly licensed so to do, from soliciting such patronage at railway stations and depots, in the manner provided by law.

## SECTION 857. SPEECHMAKING ON STREET PROHIBITED. EXCEPTION.

It shall be unlawful for any person to engage in the business of advertising or to advertise his avocation or business by the use of floats, printed signs, posters, or advertisements of any kind, attached to any vehicle of any description, or any animal, or any person upon the streets; provided, however, this section shall not be construed to prohibit advertising painted or printed matter pasted or glued upon such vehicle when such vehicle is being used in the regular business of its owner.

## SECTION 858. OBSTRUCTIONS.

It shall be unlawful for any person to cast, place or deposit upon any street:

(a) Any broken ware, glass, filth, rubbish, refuse matter, ice, water, mud, garbage, ashes, tin cans, snow, or other like substances.

(b) Any vehicles, lumber, wood, boxes, fences or fencing, building materials, dead trees, tree stumps, merchandise or any article or thing which shall obstruct such street or any part thereof, or the free use and enjoyment thereof, or the free passage over or upon the same, or any part thereof, without the express permission of the city council, and then only in accordance with the strict terms of such permission.

## SECTION 859. NAMES OF STREETS.

That all streets of Park City shall be known by the names by which they are so designated on the official map of Park City, filed in the office of the city recorder, and such additions, changes and corrections of the names of streets as shall from time to time be placed on said official map by ordinance.

## SECTION 860. NUMBERS FOR HOUSES.

It shall be unlawful for any person to erect a house or building within the limits of Park City without numbering such house or building with the number designated by the city council, or for the occupant of any house or building, or the owner or agent of any unoccupied habitable house or building to fail for a longer period than ten days after notice from the city council so to do, to number such a house or building with the number designated by the city council.

When such number has been designated by the city council the owner or occupant of such house or building shall cause a painted, carved or cast duplicate of such number at least Three Inches in height and of a shade opposite to the background upon which number is mounted to be placed in a conspicuous position upon the front of such house or building, in a permanent, stationary and durable manner unobstructed at all times by vines, screens or anything that would tend to hide or obscure the number, and so that the number will be clearly perceptible from a distance of one hundred fifty (150) feet; upon application being made to the city council they shall issue a certificate giving the correct street number for said house or building.

It shall be unlawful for any person to number any house or building in any manner other than that prescribed in this chapter, and it shall be unlawful for any block or row of houses to be hereafter designated by a distinct numbering of the houses situated therein, and it shall be the duty of the owners of all such blocks or rows of houses now numbered in any manner other than described in this chapter to immediately cause said numbers to conform to the provisions of this chapter.

SECTION 861. MOVING HOUSES. BOND.

It shall be unlawful for any person to move any house, building or other structure upon, over, across or along any public street, alley or highway in Park City without a permit from the street department so to do. Such permit shall be issued only on approval of a written application therefor. Said application shall designate the location of the house, building or other structure, the place to which the applicant intends to move the same, the time to be employed, and the public streets, alleys or highways upon, over across or along which such house, building or other structure is to be moved. On approval of the application the applicant, before actually starting the work of moving the said house, building, or other structure, shall file a bond for \$1000.00 with the city recorder indemnifying the city against any loss or damage of any kind or description whatsoever due to the use of the public streets, alleys, or highways as herein mentioned. It is further provided that should any such house, building, or other structure be in any public street, alley, or highway during the night time, that the person moving the same shall place red lights about the same in such places and in sufficient numbers that persons using such public street, alley, or highway may be warned of its location.

SECTION 862. UNLAWFUL TO CONDUCT BUSINESS ON STREET.

It shall be unlawful for any person to engage in or carry on any business, profession, trade, vocation or avocation on any street or sidewalk or in or from any automobile, vehicle, stand, or structure located in or upon the streets or sidewalks of Park City. Provided, however, this ordinance shall not prohibit any business or occupation licensed or permitted under the ordinances of Park City, Utah.

CHAPTER       LVIII  
STREET COMMISSIONER  
APPOINTMENT AND DUTIES

SECTION   863

The ma yor, by and with the advice and consent of the city council, shall appoint a street commissioner, who shall also be known and called the street supervisor, who shall have charge of the streets, alleys, lanes, sidewalks, thoroughfares, roads, routes, avenues, passes, channels, and every other avenue of travel embraced within the meaning of the word "Streets" in this ordinance.

SECTION   864       OFFICE MAY BE HELD BY MARSHAL

The office of Street Commissioner may be held by the Marshal of Park City, Utah.

SECTION   865       The salary of the street commissioner shall be fifteen (15) dollars per month, payable monthly.

SECTION   866 BOND OF STREET COMMISSIONER.   EXCEPTION.

The street commissioner, before entering upon his duties, shall furnish the city a bond donditioned upon the faithful performance of his duty in the sum of \$500.00, except when the office is held by the city marshal, in which event no bond other than that of city marshal shall be required.

CHAPTER   LIX

TELEGRAPH, TELEPHONE, ELECTRIC WIRES AND POLES,   ERECTION OF  
POLES, ETC.

SECTION   867       BOND TO CITY

It shall be unlawful for any person to erect or maintain any telegraph, telephone, electric light, or electric railroad poles within the limits of Park City, without having first executed and delivered to Park City a bond of \$10,000.00, to be approved by the city council, conditioned that he will indemnify and save the city harmless from any and all damages that may be caused by reason of the erection, maintenance, operation, management or use of such telegraph, telephone, or electric light or electric railroad pole or the wires thereon within the city.

SECTION   868       PERMIT FOR ERECTION OF WOODEN POLES

It shall be unlawful for any person to set or erecting or on any paved public street, alley or way or on any public street, alley, or way or on any public ground or public place within said city or of said city, any wooden pole or poles for any purpose, without first having procured from the city council of said city a special permit therefor; or to set or erect any pole in or on any street, alley, or way of said city without first having procured from the city council a special permit therefor.

The city council may at any time any street alley or way is about to be paved or improved, pass a resolution requiring all persons maintaining poles in the center of such street, alley or way to remove the same to the side of such street, alley or way, and may in such resolution designate the material, size, height, construction and location of said poles, of which resolution all persons affected thereby shall be given notice. The permit authorized by the council and issued by the city council shall specify the person to whom it is issued, and the material, size, height, construction and location of such pole or poles, and which permit must be on the ground where such poles are being erected, and must be freely exhibited to any person or city officer asking to examine it.

SECTION 869. SIZE OF POLES. FINISH OF POLES.

It shall be unlawful for any person to erect any telegraph, telephone, electric light or electric railroad pole or poles of a size less than six inches in diameter at the top, or which vary more than six inches from the perpendicular when erected. Said poles must be peeled and painted black for a distance of not less than ten feet above the surface of the street grade and the balance of such pole shall be painted white, unless otherwise ordered by the city council.

SECTION 870. TO WHOM ISSUED.

No permit for the erection or maintenance of any telegraph, telephone, electric light, or electric railroad pole or other poles in any streets of Park City shall be issued to any person, unless he is a holder of a franchise from the city, granting certain specified and privileged uses of said streets, provides, that a copy of such franchise shall be placed on file with the city council for its use, guidance, and provided, that nothing in this section shall be construed to authorize the erection of any pole without a permit from the city council.

SECTION 871. APPLICATIONS.

All applications for permits to erect poles must be in writing addressed to the city council, must be signed by the person desiring to erect the poles therein specified, and must state the place or places where it is desired to erect the said poles.

SECTION 872. WHEN PERMITS NOT GRANTED.

It shall be unlawful for any person to erect or cause to be erected any pole or poles in any street when the erecting thereof will in any manner interfere with any sewer connection, water main or pipe, or which will in any way interfere with the free use of said streets, and the city council is hereby prohibited from granting any permit for the erection of poles, the setting of which in any manner violates this section.

## SECTION 873.

## POLES AT INTERSECTION.

It shall be unlawful for any person to erect or maintain any pole or other obstruction in the intersection outside of the curb line of any street of Park City, except by permission of the city council of Park City, which permission shall designate the person to whom the permit is issued, and the material, size and height and construction of such pole or poles

## SECTION 874

## POLES IN CENTER OF STREETS.

It shall be unlawful for any person to erect poles of any character or for any purpose in the center of any street, alley, a or lane in Park City.

## SECTION 875.

## HEIGHT OF WIRES.

It shall be unlawful for any person to attach any telegraph, telephone or electric light or power wire to any pole in the streets of Park City at a distance of less than 18 feet from the grade of the street at the base of the pole. It shall be likewise unlawful for any person to attach wires thereon used for a different purpose, at a distance of less than three feet from wires previously attached; provided, that this section shall not be construed to prevent any person already having wires attached to a pole, from attaching additional wires at a distance of less than three feet, nor from preventing any person when authorized or directed by the city council from attaching wires to poles at a distance of less than three feet from existing wires when the new wires and the existing wires are used for similar currents; provided, further, that when directed by the city council, for the purpose of crossing other wires or other obstructions, the height and distance may be varied.

## SECTION 876

## NUMBER OF WIRES LIMITED.

It shall be unlawful for any person to string more than one hundred separate wires upon any telegraph, telephone or electric light pole.

## SECTION 877. FIRE ALARM OR POLICE TELEGRAPH.

In case the corporation of Park City desires at any time to put in operation any fire alarm or police telegraph system, it reserves to itself the right to use the top or a space near the top of any and all telegraph and telephone poles, free of expense, for the purpose of attaching wires thereto for use in said fire alarm or police telegraph, and the granting of any franchise to any person to erect poles for any of the purposes indicated in this chapter shall be with the above reservation of privilege and right.

## SECTION 878. POLES NOT TO BE REMOVED OR INJURED.

It shall be unlawful for any person wilfully or negligently to injure, pull down, break or deface any telegraph, telephone, electric light or power pole or wire erected or standing in the streets of Park City.

## SECTION 879. PENALTY.

Any person, firm or corporation violating any of the provisions of this chapter, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than one hundred dollars, or by imprisonment in the city or county jail not more than one hundred days, or by both such fine and imprisonment. Provided that any corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine of not to exceed \$100.00.

## CHAPTER LX.

## TRAFFIC AND TRAVEL ON STREETS.

## SECTION 880. DEFINITIONS.

The following words and phrases when used in this chapter shall for the purpose of this chapter have the meanings respectively ascribed to them in this section, except in those instances where the context clearly indicated a different meaning:

(a) Vehicle--Every device, in, upon or by which any person or property is or may be transported or drawn upon a public street, except devices moved by human power or used exclusively upon stationary rails or tracks.

(b) Motor Vehicles--Every vehicle, as herein defined, which is self propelled.

(c) Street Car--Every device traveling exclusively upon a street railway when upon or crossing a street.

(d) Authorized Emergency Vehicle--Vehicles of the fire department, police vehicles and such ambulances and emergency vehicles of municipal departments or public service corporations as are designed or authorized by the state tax commission or the city council.

(e) Motorcycle--Every motor vehicle designed to travel on not more than three wheels in contact with the ground, except any such vehicle as may be included within the term "tractor" as herein defined.

(f) Truck Tractor--Every motor vehicle designed and use primarily for drawing other vehicles and not so constructed as to carry a load other than a part of the weight of the vehicle and load so drawn.

(g) Farm Tractor--Every motor vehicle designed and use primarily as a farm implement for drawing plows, mowing machines and other implements of husbandry.

(h) Road Tractor--Every motor vehicle designed and used for drawing other vehicles and not so constructed as to carry any load thereon independently or any part of the weight of a vehicle or load so drawn.

(i) Trailer--Every vehicle without motive power designed for carrying property or passengers wholly on its own structure and for being drawn by a motor vehicle.

(j) Semi-trailer--Every vehicle of the trailer type so designed and used in conjunction with a motor vehicle that some part of its own weight and that of its own load rests upon or is carried by another vehicle.

(k) Pneumatic tires--All tires inflated with compressed air.

(l) Solid rubber tire-- Every tire made of rubber other than a pneumatic tire.

(m) Metal tires--All tires the surface of which in contact with the street is wholly or partly of metal or other hard, non resilient material.

(n) Person--Every natural person, firm, co-partnership, association or corporation.

(o) Owner--Any person holding title to a motor vehicle, trailer, semi-trailer, or any person having lawful use or control of same under lease, conditional sale agreement or otherwise for a period of thirty or more successive days.

(p) Chauffeur--Any person who operates a motor vehicle in the transportation of property and who receives any compensation for such services in wages, commission or otherwise, paid directly or indirectly, or who as owner or employee operates a motor vehicle carrying passengers or property for hire.

(q) Railway--Every commercial, interurban and other railway, other than a street railway, owned, controlled, operated or managed for use in the transportation of persons or property.

(r) Street or Highway--Every way or place of whatever nature open to the use of the public, as a matter of right, for purposes of vehicular travel.

(s) Private road or Driveway--Every road or driveway not open to the use of the public for purposes of vehicular travel.

(t) Roadway--That portion of a street or highway between the regularly established curb lines or that part improved and intended to be used for vehicular travel.

(u) Curb--The boundaries of a street as defined herein.

(v) Sidewalk--That portion of a street between the curb lines and the adjacent property lines.

(w) Crosswalk--That portion of a roadway ordinarily included within the prolongation or connection of curb lines and property lines at intersections, or any other portion of a roadway clearly indicated for pedestrian crossing by lines or other markings on the surface.

(x) Intersection--The area embraced within the prolongation or connection of the lateral curb lines, or if none, then of the lateral boundary lines of two or more streets which join one another at an angle, whether or not one street crosses the other.

(y) Safety zone--The area or space officially set apart within a roadway for the exclusive use of pedestrians and which is protected or is so marked or indicated by adequate signs as to be plainly visible at all times while set apart as a safety zone.

(z) Right of Way--The privilege of the immediate use of the street.

(aa) Traffic--Pedestrians, ridden or herded animals, vehicles, street or interurban cars, electric trolley coaches and other conveyances either singly or together while using any street for the purpose of travel.

(bb) Driver--The rider, driver or leader of a horse; a person who pushes, draws, propels, operates or in charge of a vehicle.

(cc) Official traffic signs and signals--All signs, signals, markings, and devices not inconsistent with this chapter placed or erected by authority of the city council or the marshal, for the purpose of guiding, directing, warning or regulating traffic.

(dd) Department or vehicle department--The tax commission of the state of Utah.

(ee) Through Highway--A through highway is hereby defined as a main traveled or through highway on that portion thereof which has erected at the entrances thereto from intersecting streets or highways signs notifying drivers of vehicles to stop before entering or crossing said through highway.

#### SECTION 881. VIOLATION.

It shall be unlawful for any person to violate any of the provisions of this chapter, or to fail to observe and obey any of the requirements and restrictions thereof.

## SECTION 882. INSPECTION.

It shall be unlawful for any person to drive or operate any automobile or motor vehicle that has not been inspected and does not display the State of Utah certificate.

## SECTION 883. WARNING SIGNALS.

Every motor vehicle when operated on a street or highway shall be equipped with a horn in good working order, capable of emitting sound audible under normal conditions from a distance of not less than 200 feet; and it shall be unlawful, except as otherwise provided in this section, for any vehicle to be equipped with, or for any person to use upon a vehicle, any bell, siren, compression or exhaust whistle, or for any person at any time to use a horn otherwise than as a reasonable warning, or to make any unnecessary or unreasonably loud or harsh sound by means of a horn or other warning device.

Every authorized emergency vehicle used for emergency calls shall be equipped with a bell, siren or exhaust whistle of a type approved by the state road commission, but no such device shall be installed or used upon any other vehicle. It shall be unlawful for any person to install upon a bicycle any siren or whistle.

## SECTION 884. MUFFLERS AND MUFFLER CUT-OUTS.

No person shall drive on any street or highway a motor vehicle or motorcycle unless it is equipped with a muffler in good working order and in constant operation to prevent excessive noise. It shall be unlawful to use a "muffler cut-out" on any motor vehicle or motorcycle upon any street or highway.

## SECTION 885. SMOKE.

No motor vehicle shall be operated in such a way as to emit unnecessary smoke or offensive vapors.

## SECTION 886. STANDING WITH MOTOR RUNNING.

No motor vehicle shall be permitted to stand alone upon any street with any of its machinery running.

## SECTION 887. BRAKES.

Every motor vehicle (other than a motorcycle) when operated upon a street or highway shall be equipped with brakes adequate to control the movement of said vehicle, including two separate means of applying the brakes, each of which means shall be effective to apply the brakes to at least two wheels. If these two separate means of applying the brakes are connected in any way, they shall be so constructed that failure of any one part of the operating mechanism shall not leave the motor vehicle without brakes on at least two wheels.

Any combination of motor vehicle, trailer, semi-trailer or other vehicle shall be equipped with brakes upon one or more of such vehicles adequate to stop such combination vehicles within the distance specified for motor vehicles under regulations promulgated by the state road commission.

Every motorcycle, and bicycle, with motor attached, when operated upon a street or highway shall be provided with at least one brake, which may be operated by hand or foot.

All brakes shall be maintained in good working order and shall conform to regulations not inconsistent with this section and promulgated by the state road commission.

#### SECTION 888. LAMPS AND REFLECTORS.

(1) Every vehicle upon a street or highway during the period from a half hour after sunset to a half hour before sunrise, and at any time when there is not sufficient light to render clearly discernible any person on the highway at a distance of 200 feet ahead, shall be equipped with lighted front and rear lamps as in this section respectively required for different classes of vehicles, subject to exemption with reference to lights on parked vehicles as declared in subdivision (8).

(2) Every motor vehicle, other than a motorcycle, roadroller, road machinery, or farm tractor, shall be equipped with two head lamps, no more and no less at the front of and on opposite sides of the motor vehicle, which head lamps shall comply with the requirements and limitation set forth in this section, and except as to acetylene head lamps shall be of a type approved by the state road commission.

(3) Every motorcycle shall be equipped with at least one and more than two head lamps which shall comply with the requirements and limitations set forth in the following section, and, except as to acetylene head lamps, shall be of a type approved by the state road commission.

(4) Every motor vehicle, and every trailer or semi-trailer which is being drawn at the end of a train of vehicles, shall carry at the rear a lamp of a type which has been approved by the state road commission and shall exhibit a red light plainly visible under normal atmospheric conditions from a distance of 500 feet to the rear of such vehicle, and be so constructed and placed that the number plate carried on the rear of such vehicle shall under like conditions be so illuminated by a white light as to be read from a distance of 50 feet to the rear of such vehicle, and every motor vehicle, trailer or semi-trailer, shall carry at the rear in addition to a rear lamp as above specified a red reflector of a type approved by the state road commission and so designed, located as to height, and maintained as to be visible for at least 500 feet when opposed by a motor vehicle displaying lawful undimmed headlights at night on an unlighted highway.

(5) Every **vehicle** other than a road roller, road machinery or farm tractor, having a width at any part in excess of 80 inches shall carry two clearance lamps on the left side of such vehicle, one located at the front and displaying a white or yellow light visible under normal conditions at a distance of 500 feet to the front of the vehicle, and the other located at the rear of the vehicle and displaying a red light visible under like conditions from a distance of 500 feet to the rear of the vehicle.

(6) Every bicycle shall be equipped with a lighted lamp on the front thereof visible under normal atmospheric conditions from a distance of at least 300 feet in front of such bicycle and shall also be equipped with a reflex mirror or lamp on the rear exhibiting a red light visible under like conditions from a distance of at least 300 feet to the rear of such bicycle.

(7) All vehicles not heretofore in this section required to be equipped with specified lighted lamps shall carry one or more lighted lamps or lanterns displaying a white light visible under normal atmospheric conditions from a distance of not less than 500 feet to the front of such vehicle and displaying a red light visible under like conditions from a distance of not less than 500 feet to the rear of such vehicle.

(8) Whenever a vehicle is parked or stopped upon a street or highway, whether attended or unattended during the time mentioned in this section, there shall be displayed upon such vehicles one or more lamps, one of which shall be on the roadway side and project a white light visible under normal atmospheric conditions from a distance of 500 feet to the front of such vehicle, and one of which shall project a red light visible under like conditions from a distance of 500 feet to the rear, except that no lights need be displayed upon any such vehicle when parked in accordance with the provisions of this chapter.

(9) Any vehicle exceeding 20 feet in length shall display a white marker light of not to exceed four candlepower, or a white reflector, meeting with the requirements as to visibility of subdivision(4) on both sides, and any combination of vehicles exceeding 20 feet in length shall display on both the right and left sides such marker lights or reflectors at intervals of not to exceed 20 feet. Other vehicles may but are not required to display such side marker lights or reflectors.

#### SECTION 389. LAMPS ID.

(1) The head lamps of motor vehicles shall be so constructed, arranged and adjusted that except as provided in subsection (3) of this section, they will at all times mentioned in the preceding section and under normal atmospheric conditions and on a level road produce a driving light sufficient to render clearly discernible a person 200 feet ahead, but shall not project a glaring or dazzling light to persons in front of such head lamps.

(2) Head lamps shall be deemed to comply with the foregoing provisions prohibiting glaring and dazzling lights if none of the main bright portion of the head lamp beams rise above a horizontal plane passing through the lamp centers parallel to the level road upon which the vehicle stands, and in no case higher than 42 inches 75 feet ahead of the vehicle.

(3) Whenever a motor vehicle is being operated upon a highway, or a portion thereof, which is sufficiently lighted to reveal a person on the highway at a distance of 200 feet ahead of the vehicle it shall be permissible to dim the head lamps or to tilt the beams downward to substitute therefor the light from an auxiliary driving lamp or pair of such lamps subject to the following restrictions as to tilted beams and auxiliary driving lamps.

Whenever a motor vehicle meets another vehicle on any highway, it shall be permissible to tilt the beams of the head lamps downward or to substitute therefor the light from the auxiliary driving lamp or pair of such lamps, subject to the requirement that the tilted head lamps or auxiliary lamp or lamps shall give sufficient illumination under normal atmospheric conditions and on a level road to render clearly discernible a person 75 feet ahead, but shall not project a glaring or dazzling light to persons in front of the vehicle; provided, that at all times required in the preceding section at least two lights shall be displayed on the front of and on opposite sides of every motor vehicle, other than a motor cycle, road roller, road machinery or farm tractor.

Any motor vehicle may be equipped with not to exceed two spot lamps, except that a motorcycle shall not be equipped with more than one spot lamp, and every lighted spot lamp shall be so aimed and used upon approaching another vehicle that no part of the beam will be directed to the left of the center of the highway nor more than 100 feet ahead of the vehicle.

Any motor vehicle may be equipped with not to exceed two auxiliary driving lamps mounted on the front at a height of not less than 24 inches above the level surface on which the vehicle stands, and every such auxiliary driving lamp or lamps shall meet the requirements and limitations set forth herein.

Whenever a motor vehicle is equipped with a signal lamp to comply with the provisions of the state motor vehicle act, the signal lamp shall be so constructed and located on the vehicle as to give a signal red in color, which shall be plainly visible in normal sunlight from a distance of 100 feet to the rear of the vehicle, but shall not project a glaring or dazzling light and shall be of a type approved by the state road commission.

Any device, other than head lamps, spot lamps or auxiliary driving lamps, which project a beam of light of an intensity greater than 25 candlepower, shall be so directed that no part of the beam will strike the level of the surface on which the vehicle stands at a distance of more than 50 feet from the vehicle.

Motor vehicles may be equipped with two acetvlens head lamps of approximate equal candlepower when equipped with clear plane glass front, bright six-inch sypherical mirrors and standard acetylene five-eighths foot burners, not more and not less, and which do not project a glaring or dazzling light into the eyes of approaching drivers.

It shall be unlawful for any person to drive or move any vehicle upon a highway with any red or green light thereon visible from directly in front thereof. This section shall not apply to police or fire department or fire patrol vehicles, or public or private ambulances.

SECTION 890. REGISTRATION--NUMBER PLATES.

It shall be unlawful for any person to drive, operate or allow or permit any motor vehicle to stand on the streets of Park City unless said vehicle has been registered in accordance with the laws of the state of Utah.

Every motor vehicle, motorcycle, trailer or semi-trailer, or tractor, while being used on the streets of Park City shall at all times display the number plates assigned to said vehicle by the state tax commission, or in the case of a foreign vehicle, the plates issued by the authorized department of said foreign state, by attaching one plate in front and the other plate in the rear. The number plate assigned to a motorcycle, trailer or semi-trailer shall be attached to the rear thereof. Number plates shall be so displayed during the current registration year.

Every number plate shall at all times be securely fastened to the vehicle to which it is assigned so as to prevent the plate from swinging and at a height not less than twelve inches from the ground measuring from the bottom of such plate, in a place and position to be clearly visible, and shall be maintained free from foreign materials and in a condition to be clearly legible.

SECTION 891. OPERATORS LICENSE. BADGE.

No person shall drive or operate a motor vehicle upon the streets or highways of Park City, unless such person has been duly licensed as an operator or chauffeur by the vehicle department as provided for by the laws of the state of Utah.

No person shall use or operate a motor vehicle as a chauffeur upon the streets of Park City without having obtained from the vehicle department of the state of Utah a license and badge as provided by the laws of the state of Utah, which badge shall be displayed in plain sight upon the band of his cap or upon the lapel of his outer coat while he is operating such vehicle, and no such person shall voluntarily or otherwise permit any person to wear said badge, nor shall any person while operating any vehicle wear any such badge belonging to another person or wear a fictitious badge.

## SECTION 892. NAME OF DRIVER.

Every person engaged in the business of renting or hiring out motor vehicles except motorcycles, and employing drivers or chauffeurs to operate such vehicles, shall keep a record containing the name, address and age of each driver or chauffeur in his employ, which record shall be shown to any police officer upon demand. Every person lending his motor vehicle shall keep a record of the name, age and address of the person to whom loaned, and furnish the same on demand to a police officer.

## SECTION 893. RECORD OF BUSINESS.

Every person engaged in driving a motor vehicle for hire, other than a motorcycle, shall keep a true and exact record of every trip he shall make between the hours of six p.m. and eight a.m. of the next day. Said record shall show the exact time of departure from the place of employment, the place where every stop was made and the length of time that elapsed at such stops, and the exact time when his employment ended, and the place where his passenger, or if more than one, where each passenger was discharged, which record shall be at all times open to inspection and copy by any police officer of this city upon demand.

## SECTION 894. STOPPING AT CURB AND INTERSECTIONS.

No person shall park any vehicle in front of or in any street, alley or driveway of this city, nor at any other place in any street except as near the right hand gutter as possible (approximately 15 inches from curb), nor nearer than 15 feet of the crosswalk of a street intersection in the said business district; nor at any other place in the said business district where safety zones are established.

The marshal, by and with the consent and approval of the city council shall have the power at any time to make such regulations governing the parking of vehicles on any of the streets, avenues or alleys of this city, or any other space which may be owned or leased by the city, as may, in its judgment be necessary or desirable.

No person shall without the permission of the city council place or cause to be placed on any street or sidewalk or on any building, any sign preventing or forbidding the parking of vehicles in the street in front of any building or place of business.

## SECTION 895. HOW LONG MAY STAND.

No person shall between the hours of 9 o'clock a.m. and 6 o'clock p.m. except on Sundays and legal holidays, allow any vehicle to stand longer than four hours upon any street in the business district; provided, that any regularly licensed practitioner of medicine displaying the caduceus in a conspicuous place on his automobile may be permitted to park not to exceed ~~six~~ hours on any street in the business district at places where parking is not prohibited. f

It shall be unlawful for any person other than a regularly licensed practitioner of medicine to display a caduceus in a conspicuous place upon any automobile upon the streets of Park City.

Persons in charge of or driving any delivery vehicle shall not allow any such vehicle to stand longer than 15 minutes at the places provided in the business districts for such delivery vehicles as specified in the preceding section, and no person driving or in charge of such delivery vehicle shall allow any such vehicle to stand upon any street in the business districts except at places designated in said preceding section.

It shall be within the prohibition against continuous parking for any person to move any vehicle out of a parking space and back again, or from one parking place to another within the business district when the sum total of the time such vehicle consecutively stands at such parking places shall exceed the time limits provided by this section.

SECTION 896. PARKING BETWEEN 12 O'CLOCK MIDNIGHT AND 6 A.M.

It shall be unlawful for any person to park or leave unattended any vehicle upon any street in Park City for any time longer than four hours, between the hours of 12 o'clock midnight and six o'clock a.m. of any day.

SECTION 897. HOW TO APPROACH CURB.

Every person in charge of a vehicle shall, in the business district, in parking such vehicle, approach the curb parallel and in such a manner that the right hand wheels of a vehicle shall, when said vehicle is stopped be at the edge of the gutter.

SECTION 898. DOUBLE PARKING.

It shall be unlawful for any person to park or leave standing upon any street any vehicle, whether attended or unattended, in the rear of any other vehicle where such vehicle is parked parallel with the curb, except that an operator may stop temporarily provided he does not leave his vehicle, during the act of actually loading or unloading passengers or when necessary in obedience to traffic regulations, or traffic signs or signals of a police officer.

SECTION 899. DISTANCE FROM FIRE HYDRANT OR SUPPLY STATION.

It shall be unlawful for any person to park any vehicle in any public street or any part of the same within five feet of a fire hydrant.

SECTION 900. NOT DRIVE SIDE BY SIDE.

No person shall drive or permit to be driven or ridden any vehicle by the side of another vehicle in any street of this city longer than is necessary to pass such other vehicle.

## SECTION 901. VEHICLES PASSING EACH OTHER.

Every person riding or driving any vehicle upon the streets of this city, shall upon meeting another vehicle, pass the same to the right, and over-taking another vehicle shall pass to the left thereof, and not pull over to the right until entirely clear of the vehicle passed; but no person riding or driving any vehicle shall, in over-taking a street car, interurban railway car or electric trolley coach, pass to the left thereof.

This provision shall not apply to passing upon the left any such car or coach on a one-way street, nor where electric trolley coaches are operated along the right side or edge of any street.

No person driving a vehicle shall pass another vehicle from the rear at the top of a hill or on a curve where the view ahead is in any way obscured.

## SECTION 902. TURN OUT.

Every person in charge of a vehicle on any street of this city, when signalled so to do by suitable and audible signal given by the driver of another vehicle approaching from the rear, shall, when there is room to do so, pull over to the right of the street far enough to permit such signalling vehicles to pass on his left and on the right of the center of such street.

## SECTION 903. KEEP TO THE RIGHT.

Every person riding, driving or propelling any vehicle, on any street, shall keep to the right of the center line of such street.

## SECTION 904. BICYCLES AND SLOW MOVING VEHICLES.

Persons riding bicycles upon any of the public streets of this city must observe the same rules for the use of said streets that apply to drivers of vehicles except when by their very nature they are inapplicable, and riders of bicycles upon said streets and every person driving a vehicle shall drive as closely to the right hand edge or curb of the street except when overtaking or passing another vehicle, or when placing a vehicle or bicycle in a position to make a left turn.

## SECTION 905. TURNING FROM ONE STREET INTO ANOTHER.

(a) Right turns. The operator of a vehicle intending to turn to the right at an intersection or into an alley or driveway shall approach the point of turning in the traffic lane nearest the right hand edge or curb of the street and in turning shall keep as close as practical to the right hand curb or edge of the street.

(b) Left turns. The operator of a vehicle intending to turn to the left at an intersection or into an alley or driveway shall approach the intersection in the lane of traffic as near to the right of the center of the street as it is possible, and shall turn as nearly as possible to the right of the center of the street upon which he is proceeding where the same passes the crosswalk and enters the intersection and proceed so as to enter the street into which he is turning as nearly as possible to the right of the center of the same where it passes the crosswalk and enters the intersection; except where markers are established at intersections to direct traffic, then the operators shall follow the directions of said markers.

#### SECTION 906. DRIVING FROM ALLEYS.

It shall be unlawful for any person to drive a vehicle out of an alley into a public thoroughfare without first bringing such vehicle to a complete stop at the sidewalk, and giving an audible signal.

#### SECTION 907. RIGHT OF WAY BETWEEN VEHICLES.

(a) Vehicles approaching an intersection. The driver of a vehicle approaching an intersection shall yield the right of way to a vehicle which has entered the intersection. When two vehicles enter an intersection at the same time the driver of the vehicle on the left shall yield to the driver on the right.

(b) Vehicle entering a through highway. The driver of any vehicle who has stopped as required by law at the entrance to a through highway shall yield to other vehicles within the intersection or approaching so closely on the through highway as to constitute an immediate hazard, but said driver having yielded, may proceed, and other vehicles approaching the intersection on the through highway shall yield to the vehicle so proceeding into or across the through highway.

(c) Vehicle turning left at intersection. The driver of a vehicle within an intersection intending to turn to the left shall yield to any vehicle approaching from the opposite direction which is within the intersection or so close thereto as to constitute an immediate hazard, but said driver having so yielded and having given a signal when and as required by law, may make such left turn and other vehicles approaching the intersection from said opposite direction shall yield to the driver making the left turn.

#### SECTION 908. SIGNALS ON STARTING, STOPPING OR TURNING.

(a) The driver of any vehicle upon a highway before starting, stopping or turning from a direct line shall first see that such movement can be made in safety, and if any pedestrian may be affected by such movement, shall give a clearly audible signal by sounding the horn, and whenever the operation of any other vehicle may be affected by such movement shall give a signal as required in this section plainly visible to the driver of such other vehicle of the intention to make such movement.

(b) The signal herein required indicating the intention of the driver to start, stop or turn shall be given by either an approved mechanical or electrical signal device or by extending the hand and arm horizontally from and beyond the left side of the vehicle; except when a vehicle is so constructed or loaded as to prevent the hand and arm signal from being visible both to the front and rear, then said signal shall be given by a mechanical or electrical signal device approved by the state road commission.

SECTION 909. MIRROR.

No person shall drive on any street or avenue of this city any motor vehicle that is so enclosed as to prevent the driver from having a complete view of the traffic at the rear and sides of such vehicle, unless there is attached to such vehicle a mirror so that the driver is able to see therein the reflection of the street or avenue two hundred feet in the rear of such vehicle.

SECTION 910. RECKLESS DRIVING.

Any person who drives any vehicle upon the streets of this city carelessly and heedlessly in wilful or wanton disregard to the rights or safety of others, or without due caution and circumspection and at such a speed or in such a manner as to endanger any person or property, shall be deemed guilty of reckless driving and upon conviction shall be punished by imprisonment in the city jail for a period of not more than 30 days, or by a fine of not more than \$50.00 or by both such fine and imprisonment, and on a second or subsequent conviction shall be punished by imprisonment for not less than ten days nor more than six months, or by a fine of not less than \$100.00, or by both such fine and imprisonment.

SECTION 911. ATTACHING SLED, ETC., UNLAWFUL.

It shall be unlawful for the driver, or any person in charge of any vehicle to knowingly drive or operate such vehicle upon any of the streets of Park City while any sled, toboggan or sleigh is attached to or connected with such vehicle, or to permit any sled or other similar conveyance to be attached to or connected with said vehicle upon any of the streets of said city.

SECTION 912. PERSONS UNDER THE INFLUENCE OF INTOXICATING LIQUOR OR NARCOTIC DRUGS.

It shall be unlawful for any person who is an habitual user of narcotic drugs, or any person who is under the influence of intoxicating liquor or narcotic drugs, to drive any vehicle upon any street within this city.

Every person convicted of a violation of this section shall be punished by imprisonment in the city jail for not more than sixty days or by a fine of not less than \$100.00 or by both such fine and imprisonment. On a second or subsequent conviction he shall be punished by imprisonment for not less than ninety days nor more than six months, and in the discretion of the court a fine of not more than \$299.00.

## SECTION 913. LOAD PROJECTING TO REAR. FLAG AND LIGHTS.

No person shall drive any vehicle with poles, lumber, pipe or other thing extending more than four feet beyond the rear of said vehicle without having a red flag at least 12 inches square attached at or near the rear end of the pole, or other object to projecting, or shall carry a red light at or near the rear end of the pole or other object so projecting, during the period offrom a half hour after sunset to one hour before sunrise, which shall be plainly visible under normal atmospheric conditions at least 200 feet from the rear of such vehicle.

## SECTION 914. RESTRICTIONS AS TO SPEED. PENALTY.

(a) It shall be unlawful for any person to drive a vehicle upon any street in Park City at a speed greater than is reasonable and prudent, having due regard to the traffic, surface and width of the highway and the hazard at intersections and any other conditions existing.

Nor shall any person drive at a speed which is greater than will permit the driver to exercise proper control of the vehicle and to decrease speed or to stop, as may be necessary to avoid colliding with any person, vehicle or other conveyance upon or entering the highway in compliance with legal requirements and with the duty of drivers and other persons using the street to exercise due care.

(b) It shall be unlawful for any person to drive a vehicle upon any street in Park City at a speed in excess of that indicated below for the particular district or location.

## 1. Fifteen miles per hour:

When passing a school building or the ground thereof during school recess or while children are going to or leaving school during opening or closing hours or;

When approaching within 100 feet of a grade crossing of a railway or street railway where the driver's view of such crossing or of any traffic on such railway within a distance of 400 feet in either direction is obstructed.

## 2. Twenty miles per hour:

In any business district as defined in this chapter upon approaching within 50 feet and in traversing an intersection of streets where the driver's view in either direction along any intersecting streets within a distance of 200 feet is obstructed, except that when traveling upon a through street or a traffic controlled intersections the district speed shall apply.

## 3. Twenty-five miles per hour;

In any residence district as defined in this chapter; or

At any railway grade crossing where the view is not obstructed.

4. Thirty-five miles per hour:

On any through highway or portions thereof where signs are erected giving notice of such speed.

SECTION 915. CHILDREN OPERATING VEHICLES.

It shall be unlawful for the owner or person in charge or control of any vehicle to permit the same to be operated or driven upon any street of Park City by any person under sixteen years of age; and it shall be unlawful for any person under sixteen years of age to operate or drive any vehicle upon any street of Park City.

SECTION 916. NO TAKING HOLD OF VEHICLE.

No pedestrian or rider, driver or occupant of any vehicle shall lay hold of any part of any other vehicle while the same is in motion.

No person shall, without the authority of the owner or the person in charge of a motor vehicle, climb upon or into or swing or hold on any motor vehicle whether the same is in motion or at rest, sound any horn or any other signalling device or attempt to manipulate any of the levers, the starter, brakes or machinery thereof, or set such vehicle in motion or to damage, tamper or interfere with the same.

SECTION 917. DRIVING OR RIDING ON SIDEWALK.

No person, shall drive, ride, lead or leave or cause to be driven, ridden, led or left any animal or vehicle upon or along any public sidewalk or crosswalk.

SECTION 918. RIGHT OF WAY FOR EMERGENCY VEHICLES.

The driver of a vehicle upon any street or highway within the limits of Park City, shall yield the right of way to authorized emergency vehicles when the latter are operated in emergencies and the drivers thereof sound audible signal by bell, compression or exhaust whistle, or siren.

SECTION 919. RIGHT OF WAY FOR OTHER VEHICLES.

Vehicles for flushing or sprinkling public streets of the city, or for the collection of garbage, and the emergency crew of the water works department, when responding to a fire or emergency call shall have right of way over all other vehicles except those carrying U. S. mail, ambulances, fire department apparatus and vehicles of the police department.

## SECTION 920. FUNERAL PROCESSIONS. INTERRUPTION.

It shall be unlawful for any person to drive or propel, or cause to be driven or propelled, any vehicle so as to break the consecutive line of march or line of travel of any funeral procession, upon any of the streets of Park City.

## SECTION 921. STOP FOR FIRE DEPARTMENT.

Every person in charge of any vehicle upon any street in this city, upon the approach of any vehicle or apparatus of the fire department or any police patrol wagon, or any ambulance, or the emergency crew of the waterworks department, or any auxiliary fire apparatus, shall, when signalled, immediately stop such vehicle as near as possible to the right hand curb of such street; nor shall such vehicle be move until such apparatus, police patrol, emergency crew, auxiliary fire apparatus, or ambulance shall have passed the same.

## SECTION 922. RAILROAD CARS STANDING ON CROSSINGS.

No person, either as owner, employee, or otherwise controlling, operating or in charge of any car or train of cars operated by steam, electricity or any other motive power, shall cause or permit such car or train of cars, or any portion of the same, to stand or be moved in, along or across any street or sidewalk in such manner as to prevent for a period of five minutes or longer, any person or vehicle from crossing the track or tracks on which such car or train of cars is standing or being moved.

## SECTION 923. STOPPED VEHICLES NOT TO INTERFERE WITH CROSSINGS.

No person in charge of any vehicle, shall cause or permit such vehicle or car to be stopped so that any portion thereof shall remain or project into the street intersection and for the purposes of this section only, street intersection shall mean that portion of the intersecting streets formed by the prolongation of the property lines across the abutting streets whether or not one street crosses the other; provided that whether or not one street crosses the other; provided, that the provisions of this section shall not apply in case of emergency, or when such vehicle or car is stopped for the purpose of avoiding an accident.

## SECTION 924. PEDESTRIANS' RIGHT OF WAY, OBSTRUCTING SIDEWALKS.

Every person in charge of any vehicle shall exercise all possible care to avoid injury to pedestrians. Pedestrians shall have the right of way over vehicles at regular street crossings at intersections and half way between street intersections, except where the crossing is closed by signal as provided by ordinance. Every pedestrian shall keep to the right of the sidewalk or street crossing and shall not obstruct or prevent free use of any sidewalk or street crossing by others. Pedestrians shall not stop or stand so as to obstruct the use of the sidewalk.

It shall be unlawful for pedestrians to cross the street at any point other than at regular street crossings at intersections and half way between street intersections.

SECTION 925. PEDESTRIANS CROSSING STREETS.

No pedestrian shall interfere with the movement of vehicles. No pedestrian shall cross streets diagonally, but shall cross the streets at right angles and at regular crossings as provided herein.

SECTION 926. SOLICITING A RIDE FORBIDDEN.

It shall be unlawful for any person to stand in the public streets for the purpose of soliciting a ride from the driver of any private vehicle.

SECTION 927. COMPLY WITH ORDER OF TRAFFIC OFFICER.

It shall be unlawful for any person to fail to comply with the directions given by voice, hand, whistle, or light by any police officer for the purpose of directing traffic.

SECTION 928. MOVE WHEN REQUESTED.

Every person in charge of any animals or vehicle standing along or near the curb of any street within the business districts, shall, at the request of any police officer, move such animal or vehicle away from such curb.

SECTION 929. COMPLY WITH TRAFFIC SIGNS.

Every person shall comply with any instruction or direction displayed by the authority of the chief of police upon any post, standard, sign, or device for the regulation of traffic in any public street.

SECTION 930. QUIET ZONES.

The chief of police may establish zones of quiet in the vicinity of hospitals and other public institutions, and other places, and notices shall be conspicuously placed designating the limits of such zones. Every person in charge of any vehicle, street car, interurban car, or railway train, shall exercise special care to approach and proceed through such zones as noiselessly as possible.

SECTION 931. INJURING TRAFFIC SIGNS.

No person shall drive into, deface, injure, move or interfere with any sign, standard, post, chain, rope, or other device installed or placed to indicate safety zones or for the purpose of directing or regulating traffic.

## SECTION 932. NAILS THROWN ON STREETS.

No person shall throw, deposit or place in or upon any public street of this city any nails, tacks, crockery, scrap iron, tin, wire, bottles, glass, boxes, wood, boards, stone, thorns, or thorny clippings, or thorny branches of trees or bushes, or any other article or thing likely to puncture or injure the tire of any vehicle.

## SECTION 933. DUTY TO STOP IN EVENT OF ACCIDENTS. REPORTS.

(a) The driver of any vehicle involved in an accident resulting in injury or death to any person, or damage to property, shall immediately stop such vehicle at the scene of such accident; shall give his name, address and the registration number of his vehicle to the person struck, or the driver or occupants of any vehicle collided with, and shall render to any person injured in such accident reasonable assistance, including the carrying of such person to a physician or surgeon for medical or surgical treatment, if it is apparent that such treatment is necessary or is requested by the injured person.

(b) The driver of any vehicle involved in any accident resulting in injury or death to any person or property damage to any apparent extent of \$50.00 or more, shall within 24 hours forward a written report of such accident to the police department of this city.

## SECTION 934. UNLOADING COAL OR COKE.

It shall be unlawful for any person to unload coal or coke by way of any coal hole in any sidewalk or by carrying same across any sidewalk in the business district, except during the hours after 12 o'clock midnight and before 9 o'clock a.m. of any day.

## SECTION 935. BELL AND LIGHT.

It shall be unlawful for any person to ride or use a bicycle upon any of the streets, sidewalks or public places of this city without having in connection therewith a bell or gong of sufficient sound to warn persons of its approach, and shall sound such bell or gong to warn pedestrians of its approach.

It shall be unlawful for any person to ride or use a bicycle on any of the sidewalks, streets or public places of the city between one hour after sunset and one hour before sunrise without a lighted lamp so attached thereto as to warn persons of its approach.

## SECTION 936. TAKING VEHICLES WITHOUT PERMISSION.

It shall be unlawful for any person to take, use, operate, attempt to operate, manipulate, tamper with, set in motion, attempt to set in motion, drive or ride in any motor vehicle in Park City without permission of the owner or person in lawful possession thereof; provided, however, members of the police and fire department may remove vehicles parked in the streets upon existence of such emergency as requires such action.

## SECTION 937. USING STREETS FOR STORAGE.

It shall be unlawful for any person, either as owner, occupant, agent or employee of any garage, livery stable, wagon shop, blacksmith shop, sales room or other place of business to suffer or permit any vehicle whether left for safe keeping, repairs, sale or otherwise, to be or remain upon any street or sidewalk, or to do or permit to be done any repairing of any vehicle while the same stands upon any part of a public street or sidewalk, except only emergency repairs or changing of tires.

## SECTION 938. EXCEPTIONS.

The drivers of all authorized emergency vehicles shall be exempt from the provisions of all the sections of this chapter relating to the regulation of traffic upon the streets of this city.

## SECTION 939.

The driver of a vehicle upon a highway shall yield the right of way to authorized emergency vehicles when the latter are operated in emergencies, and the driver sound an audible signal, bell, siren, compression or exhaust whistle.

## SECTION 940.

Upon the approach of any authorized emergency vehicle giving audible signal by bell, siren, or exhaust whistle, the driver of every other vehicle shall immediately drive the same to a position as near as possible and parallel to the right edge of the curb of the street, clear of any intersections of streets, and shall stop and remain in such position unless otherwise directed by a police officer, until the authorized emergency vehicle or vehicles shall have passed and the operator of every street or interurban car shall immediately stop such car clear of any intersection and keep it in such position until the authorized emergency vehicle or vehicles shall have passed, unless otherwise directed by a police officer.

## SECTION 941. UNLAWFUL TO BUY, SELL, ETC., MOTOR VEHICLES. WHEN.

It shall be unlawful for any person to buy, sell, receive, dispose of, conceal or have in his possession any motor vehicle from which the manufacturer's serial number or other identification mark has been removed, defaced, covered, altered or destroyed.

## SECTION 942. RECORDS TO BE KEPT BY DEALERS IN USED CARS.

It shall be unlawful for any person engaged in the business of wrecking, buying, selling, exchanging or dealing in used or second-hand motor vehicles, tires, radiators, magnetos, speedometers, equipment, storage batteries, parts of such vehicles, or accessories of all kinds and descriptions, to fail to keep a record of the purchase, sale, wrecking, exchange or acceptance for storage which shall be open at all times to the inspection of the marshal or any police officer, detailed by him, or to fail within twenty-four hours after the purchase, sale, exchange or

acceptance for storage or wrecking of such articles, to make out and deliver to the marshal a full and complete report of the purchase, sale, exchange or acceptance for storage or wrecking of such used or second-hand motor vehicles, equipment, or accessories, and deliver to the marshal or any officer detailed by him, when any motor vehicle or motorcycle is wrecked, junked or demolished, the certificates of ownership and/or registration and the license plates last issued upon registration of such vehicle or motorcycle by the licensing state. The said report shall contain the name and address of the person from whom purchases or taken in exchange, or for storage, or to whom sold, the make, state license number, motor number, body number, generator number, carburetor, number, magneto number, storage battery number, transmission number, radiator number and speedometer number, or any other mark or identification make, size and serial number of each tire, including extra tires, style, and seating capacity of all second-hand motor vehicles purchased, sold, exchanged or placed in storage, make, size and number of second-hand motor vehicle tires; make and number of second-hand radiators, magnetos, and speedometers, equipment, storage batteries, parts of vehicles, and all other accessories having a serial number, and such other information concerning said articles as may be necessary to prove ownership and identity of said used or second-hand motor vehicle, equipment or accessories. Said report shall be written in the English language in a clear and legible manner, on blanks furnished by the marshal.

SECTION 943. REPORT OF SALES TO MARSHAL.

It shall be unlawful for any person other than a dealer to sell any motor vehicle or accessories to any person not a dealer in such articles, without making report of such sale to the marshal, within six hours of such sale, together with complete information in regard to the kind, make and number of such vehicle or accessories, in the same manner and with the same detail as required of dealers.

SECTION 944. UNLAWFUL TO BUY, ETC., FROM MINORS.

It shall be unlawful for any person to purchase or receive any motor vehicle or motor vehicle accessories, from a minor.

SECTION 945. PENALTY. STEALING AUTOMOBILES, TIRES, ETC.

Any person violating any of the provisions of the preceding sections shall upon conviction thereof, be punished by a fine in any sum not exceeding \$50.00, or by imprisonment in the city jail for a period not longer than 30 days, or by both such fine and imprisonment.

## CHAPTER LXI

## SECTION 946. FILLING VACANCIES.

In case any vacancy shall exist in any elective or appointive office of this city, except the office of Mayor or city councilman, the mayor shall appoint, subject to confirmation by the council, a suitable person to fill such vacancy, who shall qualify and give bond in the same manner, and be subject to the same liabilities as the officer whose office shall become vacant.

## CHAPTER LXII

## WATER WORKS.

## SECTION 947. DUTY OF WATER COMMISSIONER.

The water commissioner shall, under the direction of the mayor and the city council, have charge of the reservoirs, water tanks and mains, fire hydrants and all machinery and property appertaining to the water works. He shall direct the installation of service pipes, regulate street sprinkling and the supply of fire hydrants and water users. He shall report to the mayor and city council annually or oftener, if required, the condition of the water works and make such suggestions as the nature of the service may require. He shall keep the wrenches for fire hydrants but the street department may use the same for sprinkling purposes only.

## SECTION 948. WRITTEN APPLICATION FOR WATER.

Any person desiring a supply of water from the city water works shall apply to the water commissioner and sign an agreement that he will be governed by the rules and regulations applicable to the city water works department. Said application must state the location, kind of building, number of rooms, and area of ground to be supplied, and purpose for which the water is to be used. Upon the filing of such application the water commissioner may extend, at the expense of the city, a service pipe to the inside line of the curbstone adjoining the premises of the applicant.

## SECTION 949. STOP-COCK AND KEY BOX.

To each service pipe there shall be attached at the curb a stop-cock and a key box, which shall be paid for by the water department, and be under the exclusive control of the water commissioner.

## SECTION 950. TAKER ONLY TO USE WATER.

It shall be unlawful for any water taker to permit any person from other premises, or any unauthorized person, to use or obtain water from his premises or water fixtures, either inside or outside of his building.

## SECTION 951.

## PIPES TO BE KEPT IN GOOD REPAIR.

All water takers shall keep their service pipe connections and other apparatus in good repair and protected from frost at their own expense, but no person, except under the direction of the water commissioner, shall be allowed to dig into the street or sidewalk for the purpose of laying, removing or repairing any service pipe.

## SECTION 952.

## PLUMBING PERMIT. REPORT.

It shall be unlawful for any person to make any extension of any pipe or water fixture attached to the water works system for any purpose whatever without first obtaining a permit therefor from the water commissioner. Within twenty-four hours after completion of any plumbing work connected with the water works system the same must be reported to the water commissioner.

## SECTION 953.

## WASTE PROHIBITED.

It shall be unlawful for any water taker to waste water or allow it to be wasted by imperfect stops, 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, or 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 the water in violation of the rules or regulations for controlling the water supply and provisions of this chapter.

## SECTION 954.

## USE WITHOUT PAYMENT PROHIBITED.

It shall be unlawful for any person but himself, family, or agents to use the water coming through the water mains without first paying therefor as hereinafter provided, or without authority to open any stop-cock, valve, or other fixture attached to the system of water supply, or to in anywise injure, deface or impair any part or appurtenance of the water works.

## SECTION 955.

## SPRINKLING WAGONS.

Sprinkling wagons shall be regulated and controlled by the water commissioner.

## SECTION 956.

## WATER COMMISSIONER TO HAVE FREE ACCESS.

The water commissioner or other authorized person shall at all ordinary hours, have free access to places supplied with water from the water works system, for the purpose of examining the apparatus, ascertaining the amount of water used and the manner of its use.

## SECTION 957.

## CITY NOT LIABLE FOR DAMAGES.

The city shall not be held liable for any damages to a water taker by reason of stoppage or interruption of his water supply caused by scarcity of water, accident to works, or mains, alterations, additions, repairs or any other unavoidable cause.

## SECTION 958.

## PAYMENT. DELINQUENCY.

All water rates shall be due and payable in advance on the first day of each month, and shall be charged against the property where furnished. If the water rates for any premises shall remain unpaid on the twelfth day of any month for that month the clerk of the water department shall notify the water commissioner, who shall have the water turned off from such delinquent premises, and before the water shall be turned on again all delinquent water rates must be paid in full and two dollars and fifty cents (\$2.50) additional for expenses.

## SECTION 959.

## BOARD OF EQUALIZATION. WATER RATES.

The city council committee on water works is hereby constituted a board of equalization of water rates, to hear complaints and make corrections of any assessments deemed to be illegal, unequal or unjust. The rates for supply of water to be paid monthly in advance are to be fixed by the council from time to time.

## SECTION 960.

## DEPOSIT FROM TENANTS.

Water users who are not the owners of the premises on which water service is being supplied shall deposit with the city water clerk an amount sufficient to cover the service charge and any water bills which shall accumulate, and in no case shall this deposit be less than \$5.00. The city water clerk shall issue a certificate of deposit. The amount deposited shall be refunded to the holder upon the return of all water equipment owned by the water department and used by the water user, payment of water bills and surrender of the certificate. All bills for water rates must be paid promptly with reference to said deposit. Whenever any consumer of water shall have failed to pay for the water supplied to such premises, the amount deposited, or any part thereof, may, by the city council, be applied to the payment of such delinquent bills. At the option of the water commissioner no meter deposit need be made if the owner of the premises using the water shall sign an agreement to the effect that he will be responsible for the payment of all bills for water used through such meter or by the tenant.

## SECTION 961.

## WATER RATES. PAID IN ADVANCE.

The monthly water rates for a supply of water from the Park City Municipal Water Works to be paid monthly in advance are hereby fixed and established as follows.

Stores and butcher shops	\$3.00.	Denver and Rio Grand R.R.	\$60.00
Stores and butcher shops	.	Soft Drink Parlors	\$ 4.50
where ice is made	\$4.00,	Mills (each)	\$60.00
Hotels	\$4.00 & \$7.00.	Utah Power and Light	
Boarding houses	\$2.25.	sub. Station	\$ 4.50
Private residences	\$1.50.	Bottling works	\$ 3.00
Drug stores	\$3.50.	Hospitals	\$ 7.50
Public Halls	\$3.00 & \$3.50,	Printing plants	\$ 1.50
Confectionery	\$2.25.	Automobile garages	\$ 1.50
Schools (each)	\$7.50.	(where autos are washed)	\$ 6.50
Union Pacific Railroad	60.00.	Laundries	\$ 7.50
Cleaning and dyeing works	\$1.50		

## SECTION 962. SWORN STATEMENT.

The water commissioner may demand of any applicant a sworn statement of the purpose for which water is required, the number of rooms, hose connections, bath houses, urinals, water closets, engines, boilers, livery stables and any other purpose for which water is required. If the applicant refuses to make such sworn statement when required, he shall be refused a supply of water.

## SECTION 963. BEFOULING WATER.

It shall be unlawful for any person to construct or maintain any corrals, pig pen, chicken coop, stables, or other offensive yard or outhouse so that any impurities therefrom shall find their way into the sources from which the city obtains its water supply, or to deposit, pile, unload or leave any manure; or offensive rubbish where the same may be carried into any stream from which the city gets its water supply, or to permit any cattle, horses, sheep, hogs or other animals to remain in or near, or to pollute any water used by the inhabitants of this city.

## SECTION 964. PENALTY.

Any person violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding \$50.00 or by imprisonment in the city jail not exceeding thirty days, or by both such fine and imprisonment.

## CHAPTER LXIII

## WATER COMMISSIONER.

## SECTION 965. APPOINTMENT.

The mayor, by and with the advice and consent of the city council, shall appoint a city water commissioner, whose duty it shall be to manage and supervise the affairs of the city water department, under the direction of the mayor and city council, which, from time to time, shall, by resolution, prescribe his powers and duties.

## SECTION 966. CITY MARSHAL MAY HOLD OFFICE.

The office of city water commissioner may be held by the city marshal.

## SECTION 967. COMPENSATION.

The salary of the city water commissioner shall be one hundred thirty-five (\$135.00) dollars, per month, payable monthly from the water department fund.

## CHAPTER LXIV

## MUNICIPAL ELECTIONS.

## SECTION 968. NOMINATIONS BY CONVENTIONS OR COMMITTEES.

"Convention defined." Any convention of delegates of a political party which presented candidates at the last preceding city election held for the purpose of making nominations for public office, and also voters to the number and in the manner specified in Section 972 of this chapter, may nominate candidates for public office to be filled by election within Park City, Utah. A convention within Park City, Utah. A convention, within the meaning of this chapter, is an organized assemblage of voters or delegates representing a political party which at the election before the holding of such convention polled at least two per cent of the entire vote cast in the City of Park City. A committee appointed by any such convention may also make nominations to public office or fill any vacancies in the nominations made by the convention when authorized to do so by resolution duly passed by the convention at which said committee was appointed; provided, that nothing in this section contained shall be construed so as to authorize any number of voters, convention or committee of any political party to nominate more than one group of candidates or more than one ticket, by adopting any name, emblem, or device other than the regular name, emblem or device of the political party represented by the voters committee, or convention making such nomination; provided further, that any voters convention or committee of any political party may nominate any one or more persons who may have been nominated by any other voters, convention, or committee, but in making such nomination, the name of the nominee shall be placed upon the regular ticket of the political party represented by the voters, convention or committee making such nomination, and no political party shall be permitted to have placed on the official ballot either directly or indirectly, more than one ticket or more than one group of candidates, or to group the same persons on different tickets by the same party under a different name or emblem.

## SECTION 969. CERTIFICATE ON NOMINATION.

All nominations made by such convention or committee shall be certified as follows:

The certificates of nomination shall be in writing, and shall contain the names of the office for which each person is nominated, the name, post office, if any, and the residence of each person, and the street number of his residence and place of business, if any, and shall designate in not more than five words the party which such convention or committee represents. It shall be signed by the presiding officer and secretary of such convention or committee, who shall add to their signature their respective places of residence and post office address, and make oath, before an officer qualified to administer the same, that the affiants were such officers of such convention or committee, and that such certificates and statements therein contained are true to the best of their knowledge and belief. When the nomination is made by a committee the certificate of nomination shall also contain a copy of the resolution passed at the convention which authorized the committee to make such nomination.

## SECTION 970. NOMINATION BY CERTIFICATE.

Candidates for public office to be filled by election within Park City, Utah, may be nominated otherwise than by convention or committee in the manner following:

A certificate of nomination, containing the names of candidates for the offices to be filled with such other information as is required to be given in the certificate referred to in Section 969, except that such certificate shall designate in not more than five words, instead of a party the political or other name which the signer shall select, shall be signed by fifty qualified voters residing within Park City, Utah. The signatures to such certificate need not be appended to one paper. No person shall sign more than one certificate of nomination for any office. The certificate shall designate upon the face thereof at least three person who shall represent the signers to fill all vacancies. Each voter signing a certificate of nomination shall add to his signature his place of residence, and shall acknowledge his signature before an officer duly authorized to take acknowledgements, and take oath that he is a voter qualified to vote in the ensuing city election and has truly stated his residence.

## SECTION 971. FILING CERTIFICATE OF NOMINATION.

All certificates of nomination shall be filed with the City Recorder not more than thirty or less than fifteen days before election.

## SECTION 972. NOMINATIONS TO BE PUBLISHED.

A list of all nominations to offices certified to the City Recorder under the provisions of this chapter together with the name of the party of each candidate shall be published at least once by the City Recorder. Such publication shall be made in a newspaper of general circulation within Park City and shall be made in the last issue of the newspaper before the day of election. Such publication shall be as far as possible, in the form of the official ballots.

## SECTION 973. SAMPLE BALLOTS TO BE POSTED.

The City Recorder, shall at least six days before election, send to each registration agent in Park City, at least five, but not more than ten sample ballots at least three days before the day of election, shall be posted by the registration agents in one or more conspicuous public place or places in their election districts and one or more shall be posted where such election is to be held.

## SECTION 974. OBJECTIONS TO NOMINATIONS.

All certificates of nomination which are in apparent conformity with the provisions of this ordinance shall be deemed to be valid, unless objections thereto shall be duly made in writing within three days after the filing of the same. In case such objection is made, notice thereof shall forthwith be mailed to all the candidates who may be affected thereby, addressed to them at their respective post office addresses, if any, or places of residence as given in the certificate of

nomination. The City Recorder shall pass upon the validity of such objection, and her decision shall be final; provided, that she shall decide such objection within at least forty-eight hours after the same is filed, and any objection sustained may be remedied or the defect may be cured by an amendment of the original certificate, or by filing a new certificate within three days after such objection is sustained.

SECTION 975. DECLINING NOMINATION.

Any person nominated for public office under the provisions of this chapter, may in writing duly signed and acknowledged by him, notify the City Recorder that he declines the nomination. Such notice shall be given to the City Recorder not less than twelve days before election. In the event such notice is given, the nomination shall be void, and the name of such person shall not be printed on the party ticket certifying his nomination. The City Recorder shall forthwith inform, by mail or otherwise, one or more persons, whose names are attached in the original certificate of nomination that such nomination has been declined.

SECTION 976. RESIGNATION AND DEATHS OF NOMINEE--FILLING VACANCIES.

If any person so nominated resigns or declines the nomination as in this chapter provided, or dies before election day, or if any certificate of nomination is insufficient or inoperative because of failure to remedy or cure the same, the committee provided for by this chapter may proceed to fill the vacancy or vacancies in the manner as herein set forth. The Chairman and Secretary of such committee shall make and file with the City Recorder a certificate setting forth cause of the vacancy, the name of the person nominated, the office for which he was nominated, and the name of the person for whom the new nominee is to be substituted and the fact that the committee was authorized to fill vacancies. The certificate so made shall be executed and sworn to under oath before an officer qualified to administer the same and such acknowledgement shall contain a statement that the affiants are such officers of such convention or committee, and that the statements therein contained are true to the best of their knowledge and belief. Such certificate upon being filed at least ten days before the election shall have the same force and effect as an original certificate of nomination. If no certificate is filed as provided herein the City Recorder is hereby authorized to strike the name or names from the official ballot of such candidate who have declined nomination or who are deceased on the date which is nine days prior to election.

SECTION 977. GENERAL ELECTIONS APPLICABLE.

The provisions of existing state statutes concerning elections in cities and towns other than cities and towns of the first and second class, and any amendments now or hereafter made thereto, shall apply to conduct of the city election held in Park City, Utah, the intent of this ordinance being to provide a method for the nomination of candidates for city offices.

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Resignation and deaths of nominee--		
filling vacancies	261	976
General elections applicable	261	977