



HIGHLAND CITY
OFFICE of the COMMUNITY DEVELOPMENT DEPARTMENT
5400 West Civic Center Drive, Suite 1, Highland Utah 84003
Phone: 801-756-5751 - Fax: 801-756-6903
Monday - Thursday from 7:30 a.m. to 6:00 p.m.

Planning & Zoning – Building Department – Code Enforcement

NOTICE TO ALL BUILDERS AND OWNERS

As a result of the damage done to storm sewer sumps, environmental impacts of fugitive dust and the problem created by construction trash, the Highland City Council has enacted a new ordinance which seeks to remedy the problem of dirty streets and construction trash strewn throughout Highland.

This ordinance requires all construction projects to maintain a trash container on site and to keep mud, rock, dirt and debris off of the city streets. It will be the responsibility of the general contractor and /or the permit holder to comply with this ordinance. For your convenience, a copy of the ordinance has been attached.

The City Council has determined to enforce this ordinance both with criminal and civil penalties. Anyone found violating this ordinance can be charged with a Class B misdemeanor. The other more immediate enforcement mechanism is denial of building inspections. If the building inspector finds that trash container is not on site or that the roadway in front of the project has not been maintained in a clean fashion, the Building Official is prohibited from inspecting the construction work.

With all the construction in Highland it is time rules be put into place which will minimize the impact which construction has on our streets, community and residents.

General Contractor	Date
Owner/Builder	Date
By signing above I verify that I have read and fully understand this document and ordinances. Highland City Municipal Code (Section 12.04). I understand that if I am in violation of these ordinances I may be held responsible according to the law.	

Chapter 12.04 STREET AND SIDEWALK PROTECTION REGULATIONS

12.04.010 Culverts and boxes over ditches. It is unlawful for any person to convey water across any sidewalk within the limits of Highland except in a covered culvert or box extending the whole width 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 and cleared of debris.

12.04.020 Discharging water on streets or sidewalks. It is 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 street or sidewalk.

12.04.030 Penalty for discharging water on streets or sidewalks. Every person who willfully or negligently obstructs, injures or floods any street or sidewalk by the flow or seepage of water, or who willfully or negligently permits water under his control to escape in any manner so as to obstruct, injure or flood any street or sidewalk within the limits of this city, is guilty of a misdemeanor.

12.04.040 Building materials in street permit. It is unlawful for any person to occupy or use any portion of the public streets when erecting or repairing any building upon land abutting thereon, without first making application to and receiving from the city council a permit for the occupation or use of such portions of streets for such periods of time and under such limitations and restrictions as may be required by the city council. 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 interest requires such revocation.

12.04.050 Provision of sanitary facilities and curb ramps.

- A. It is unlawful for any person who is constructing any new structure, building or residence to build such structure, building, or residence without sanitary toilet facilities available to those working on the site. Once a lavatory is installed, inspected, and available to workers, a portable toilet may be removed. Such lavatory shall be placed in an inconspicuous place as possible.
- B. All persons participating in the above named construction shall provide access to the site where curbs are installed. It is unlawful for any person to provide access other than through the use of curb ramps or through the use of three-fourth inch washed gravel. All curb ramps or gravel approaches must be removed prior to final inspection to the satisfaction of the city.

12.04.060 Placing trash or other obstruction in streets, gutters and sidewalks. It is unlawful for any developer of subdivisions, contractor, builder or person owning, occupying or having control of any premises to place, or permit to be placed upon or in the sidewalk, parking area, gutter, or on the half of the street next to such premises or to fail to remove from the streets, gutters, or sidewalks:

- A. Any construction materials, broken ware, glass, filth, rubbish, sweepings, refuse matter, ice, snow, water, garbage, ashes, tin cans or other like substances;
- B. Any vehicles, trailers, lumber, wood boxes, fencing, building material, dead trees, tree stumps, merchandise or other thing which shall obstruct such public street, gutter, parking area or sidewalk, or any part thereof, except as expressly authorized by ordinance, without first obtaining the permission of the city council.
- C. Any permanent or temporary structure, mechanism, device, vehicle, or other thing of any kind or character except trees planted pursuant to the provisions of applicable ordinance.
- D. It is unlawful for any developer, landscaper, contractor, property owner, or any person owning, occupying or having control of any premises to place, or permit to be placed upon or in the sidewalk, gutter, or any part of the street or right-of-way any dirt, mud, soil, rocks or any landscaping material.

12.04.065 Use of trash containers, site cleanup and unlawful use of nonsite trash containers. It is unlawful for any person who is constructing any new structure, building or residence to build such structure, building or residence without having on the premises a trash container sufficiently sized to accommodate construction debris and trash which results from such construction. It shall be the duty of the general contractor and absent a general contractor, the owner of the building permit to keep such site free of debris at all times. It shall be unlawful for any person to deposit trash in a construction dumpster without express permission of the general contractor or the owner of the building permit.

12.04.070 Building official enforcement. The building official is not permitted to perform a building inspection if in his/her opinion the site is not in conformance with any aspect of this chapter.

12.04.080 Penalty for violation of this chapter. Any person in violation of any part of this chapter shall be guilty of a class B misdemeanor. The minimum fine for any of these offenses (exception of 12.04.060(D) above) shall be two hundred dollars. The minimum fine for a violation of 12.04.060(D) shall be five hundred dollars for each offense. The responsible party shall remove/clean all mud, dirt, debris or specified material from any right-of-way or public property within twenty-four hours of the violation after being notified. The city may at its discretion clean or have cleaned or removed any mud, dirt, debris or similar material from any portion of a right-of-way or public property immediately following any notification to the responsible party. All costs incurred by the city to clean any tracked mud, dirt, debris or similar materials will be passed on to the responsible party. The fine for tracking mud, dirt, debris or similar materials onto a right-of-way may be taken from the bond associated with a building permit. The enforcement of this section shall apply immediately following the issuance of a building permit.

12.04.090 Parking. A person or person(s) that may be involved in any construction or development project in Highland City may not cause mud, dirt, debris or any similar material to cross the property line on which the construction or project is occurring. Vehicles and trailers associated with home construction in Highland City shall park on an improved street adjacent to the property under construction and shall not park upon that property or cross the curb connected with that property. Construction trailers or vehicles may not be parked within the public right-of-way between the hours of 11:00 p.m. and 6:00 a.m. A vehicle or trailer may only be parked within property under construction if upon a concrete, asphalt or gravel driveway or parking area. Temporary driveways and parking areas shall be consistent with the minimum requirements of Highland City. A concrete driveway and drive approach for the property under construction consistent with the minimum requirements of the Highland City Development Code shall be required in all cases.

12.04.110 Staging areas. Development of any property shall require a staging area for ingress/egress to limit the amount of dust and debris being tracked onto the public right-of-way. All construction traffic associated with each development shall use the staging area for parking and ingress/egress only. The staging area shall be constructed as illustrated within the Highland City Development Standards and Public Improvement Specifications.

12.04.120 Washout areas. If the development of property requires grading exceeding one (1) acre in surface area the developer shall construct a washout area immediately adjacent to the staging area to limit the amount of dust and debris being tracked onto the public right-of-way. Drivers of construction vehicles shall use this area to wash dirt or mud from their vehicle prior to entering the staging area and the public right-of-way. The washout area shall be constructed as illustrated within the Highland City Development Standards and Public Improvement Specifications.

12.04.130 Dust and mud prevention plan. The Developer of property which requires grading which exceeds one acre in surface area or development of property which exceeds one acre in size shall submit to the city a Dust and Mud Prevention Plan. The dust and mud prevention plan shall include a sign as outlined within the Highland City Development Standards and Public Improvement Specifications.

12.04.140 Enforcement. Any person who has parked their vehicle onto property in violation of this section after April 20, 2004 shall be cited where the violation has occurred. If any mud, dirt, debris or similar material has been dumped, placed, tracked or moved onto a right-of-way or public property, the person(s) who is primarily responsible (general contractor, property owner) for the violation shall be notified with the placement of a stop work order, contacted by phone, or contacted in person by any city official and shall have twenty-four hours to comply with this chapter.

12.04.150 Penalty. The violation: Any person who has parked their vehicle onto property under construction in violation of this section shall be guilty of a class B misdemeanor. The minimum fine for this offense shall be two hundred dollars. Any person(s) who has tracked mud, dirt, debris or similar material onto a public right-of-way or public property shall be guilty of a class B misdemeanor. The minimum fine for each offense shall be five hundred dollars. The responsible party shall remove/clean all mud, dirt, debris or specified material from any right-of-way or public property within twenty-four hours of the violation after being notified. If the responsible party has been previously notified of this ordinance the city shall issue a citation when this ordinance is violated immediately upon evidence of each occurrence. The city may at its discretion clean or have cleaned or removed any mud, dirt, debris or similar material from any portion of a right-of-way or public property immediately following any notification to the responsible party. All costs incurred by the city to clean any tracked mud, dirt, debris or similar materials will be passed on to the responsible party. The fine for tracking mud, dirt, debris or similar materials onto a right-of-way may be taken from the bond associated with a building permit. The enforcement of this section shall apply immediately following the issuance of a building permit.