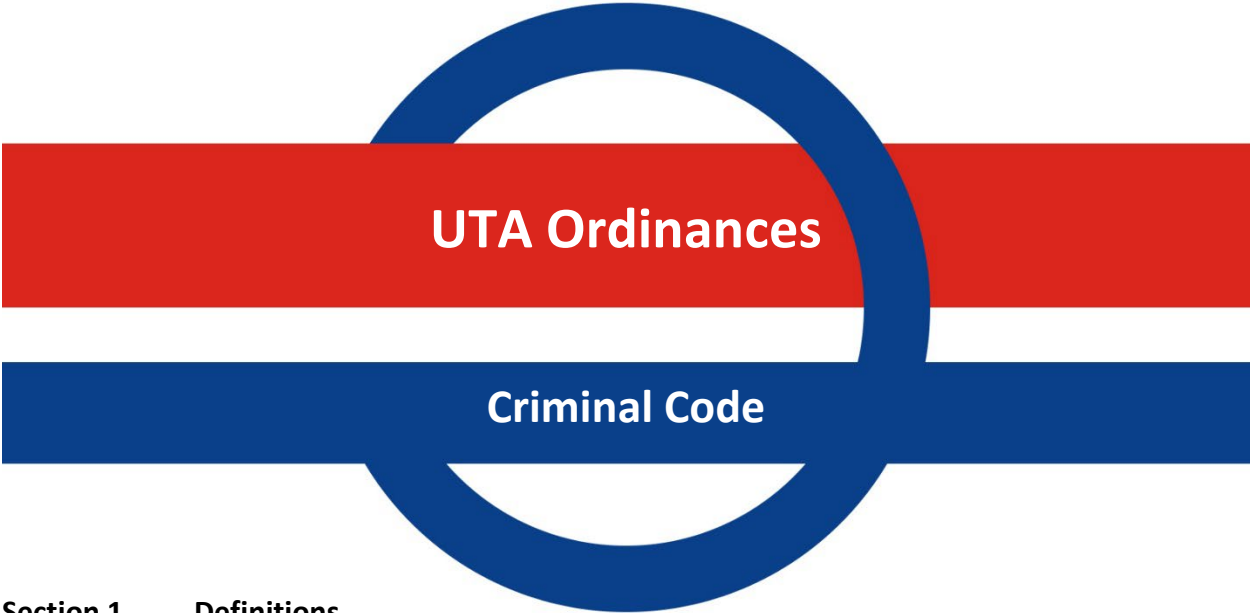




# UTA Ordinances

## Criminal Code

### Section 1. Definitions

“Authority” means the Utah Transit Authority.

“Authority Property” means real property owned, leased, or licensed by the Authority, or in which it has a real property interest.

“Authority Representative” means an employee of the Authority, Transit Police Officer or other agent who is authorized by job title, job description, specific assignment, or request of Authority to act pursuant to these Ordinances.

“Board” means the Board of Trustees of the Utah Transit Authority.

“Boarding Zone” means an area used for the loading or unloading of passengers from a Transit Vehicle, including the area adjacent to such locations.

“Citation” means a written ticket issued by a Transit Police Officer to a person for a violation of these Ordinances.

“Infraction” means an offense designated as such pursuant to this Ordinance.

“Operator” means a person who drives, commands, or has control of a Transit Vehicle.

“Parking Facility” means an area designated for the parking of personal vehicles by the Authority.

“Platform” means an area within or adjacent to a fixed guideway system specifically designed for the access of passengers as they load and unload from a Transit Vehicle.

“Proof of Fare Payment” means valid fare media that authorizes a person to use the services of the Authority.

“Right-of-Way” means real property or an interest in real property, usually in a strip, acquired for or devoted to use by Transit Vehicles.

“Transit Facility” means real property, tangible property, buildings, improvements, structures, appurtenances, Parking Facilities, Transit Vehicles, or other property owned or leased by the Authority.

“Transit Police Officer” means a sworn law enforcement officer employed by the Authority.

“Transit Vehicle” means a car, bus, railcar, or other mode operated by or on behalf of UTA for the movement of persons, including the appurtenances to and from such Transit Vehicles.

“Vehicle” means a device in, on, or by which a person or property is or may be transported or drawn on a roadway, such as a car, truck, trailer, wagon, bus, recreational vehicle, cart, and so on.

## **Section 2. Authority**

- A. Pursuant to the authority granted to large public transit districts under Utah Code §17B-2a-808.1(3), the Board hereby enacts the following ordinances necessary for its governance and for the management of the affairs of the Authority and the lawful execution of its powers.
- B. The Board grants to the Executive Director, or designee, the duty to codify these and future Ordinances. In so doing, no substantive changes shall be made to these Ordinances or to any chapter, section, or provision, with the exception of renumbering, rearranging, reformatting and correcting clerical errors.
- C. The Board’s adoption of these Ordinances constitutes its primary legislative act, while any subsequent codification represents an administrative function. In the event of a conflict between these Ordinances and their codified counterpart, these Ordinances shall control.

## **Section 3. Rules of Construction**

- A. The use of the singular form of any word includes the plural and vice versa.
- B. The use of the present tense includes the future tense.
- C. The words “shall” and “must” are to be construed as mandatory rather than discretionary.
- D. Reference to any provision of these Ordinances includes any later amendments to that chapter, section, or provision, or any part thereof.

- E. Nothing in these Ordinances shall prohibit or restrict Transit Police Officers, Law Enforcement Officers, UTA employees, or Authority Representatives from acting within the course and scope of their employment.
- F. If any of these Ordinances, or any part thereof, are held unconstitutional or otherwise invalid, the remaining chapters, sections, and provisions shall remain in force.
- G. These Ordinances shall be liberally construed to effectuate their purposes and the Board's intent in their passage.

#### **Section 4. Adoption of Utah Codes**

- A. Utah Criminal Code Adopted. The Utah Criminal Code, as contained in Title 76 of the Utah Code Annotated, 1953, as amended, is adopted by UTA and incorporated as part its Ordinances.
- B. Utah Code of Criminal Procedure Adopted. The Utah Code of Criminal Procedure, as contained in Title 77 of the Utah Code Annotated, 1953, as amended, is adopted by UTA and incorporated as part its Ordinances.
- C. Utah Controlled Substances Act and Utah Drug Paraphernalia Act Adopted. The Utah Controlled Substances Act (Utah Code Title 58 Chapter 37) and the Utah Drug Paraphernalia Act (Utah Code Title 58 Chapter 37a), as amended, are adopted by UTA and incorporated as part its Ordinances.
- D. Utah Traffic Code Adopted. The Utah Traffic Code, as contained in Title 41 Chapter 6a of the Utah Code, as amended, is adopted by UTA and incorporated as part its Ordinances, along with such other Ordinances as have been approved by the Board.
- E. Utah Indoor Clean Air Act Adopted. The Utah Indoor Clean Air Act, as contained in Title 26 Chapter 38 of the Utah Code, as amended, is adopted by UTA and incorporated as part its Ordinances.
- F. Utah Railroad Code Adopted. The Utah Railroad Code, as contained in Title 56 Chapters 1 thru 3 of the Utah Code, as amended, is adopted by UTA and incorporated as part of its Ordinances.
- G. Citation to State Code. Where a citation, information, or complaint is issued under a section of the Utah State Code, it shall be sufficient to use the section number of the Utah Code to designate which law has been violated.

#### **Section 5. Classification of Offenses**

- A. Violations of a section of the Utah State Code incorporated herein shall have the same classifications and penalties as provided by state law.
- B. Violations of a section of the Utah State Code that are also violations of these Ordinances may be punishable under either the State Code or these Ordinances.
- C. Where no penalty is otherwise prescribed, any violation of these Ordinances shall constitute an infraction and be punishable as provided in Utah Code §76-3-205, as amended.

## **Section 6. Vehicles**

- A. Parking. No person shall:
  - 1. park a vehicle in a parking facility in a manner contrary to any posted sign or restriction.
  - 2. park a vehicle in an area not designated as a parking space.
  - 3. park a vehicle in a parking facility where such vehicle occupies more than one designated parking space.
  - 4. use a parking facility for the purpose of displaying “for sale” a vehicle.
  - 5. block or restrict access to a boarding zone, access ramp, pedestrian walkway, or traffic lane.
  - 6. park a vehicle in a parking facility that has expired registration, invalid insurance, or that is inoperable.
  - 7. park a vehicle in a parking facility for more than 7 continuous days.
  - 8. use a parking facility to store a trailer, boat, or other vehicle for any period.
- B. Towing. Any vehicle parked, placed, or otherwise found to be in violation of these Ordinances may be towed and impounded at the registered owner’s expense in compliance with state law.
- C. Traffic. No person shall:
  - 1. operate a vehicle in a transit facility at a speed exceeding the posted speed limit or at a rate exceeding a safe operating speed.

2. operate a vehicle in a transit facility in a reckless or hazardous manner.
3. obstruct the free movement of passengers and vehicular traffic.
4. operate a bike, skateboard, scooter, or other mode of personal transport in a manner that interferes with, disturbs, or impedes access to and from the boarding zone, platform or transit facility.
5. operate a bike, skateboard, scooter, or other mode of personal transport in violation of any posted sign.

D. Penalty

1. A violation of this Section is punishable as an Infraction.

**Section 7. Use of Transit Facilities**

A. Permitted Uses. A person shall occupy or use a transit facility only as authorized by this Section. Permitted uses of a transit facility are:

1. Boarding, riding, disembarking, or waiting for a transit vehicle;
2. Purchasing proof of fare payment;
3. Obtaining customer service from a Transit Police Officer or Authority Representative; or
4. Other activities directly related to public transit use.

B. Unpermitted Uses.

1. Transit facilities are a non-public forums. In order to ensure safe access to and from transit facilities, activities that are non-transit related are prohibited in or on transit facilities unless authorized in these Ordinances or by written permission from Authority.
2. No person shall place, permit or cause to be placed any notice, sign, poster, placard or advertisement in a transit facility or transit vehicle without written permission from Authority
3. No person shall camp or sleep overnight in or upon a transit facility or upon any authority property.

C. Penalty

1. A violation of this Section is punishable as an Infraction.

**Section 8. Conduct While Using Transit Facilities**

A. Prohibited Conduct. In or upon any transit facility, a person shall not:

1. possess or consume an open alcoholic product.
2. use tobacco or e-cigarettes.
3. litter.
4. abandon any item or allow an object to block an aisle or stairway.
5. loiter.
6. deface, mark, or destroy any public or private property, including graffiti.
7. view, or use the Authority's internet or network services to access, any obscene materials, or for any unlawful or improper purpose.
8. fail to comply with or refuse any request made by an Operator, Authority Representative or Transit Police Officer.
9. disturb, threaten, or disrupt an Operator of a transit vehicle or an Authority Representative in the exercise of their duties.
10. extend any portion of the person's body or an object through any door, window, or other opening of a transit vehicle while it is in motion.
11. hang on to the exterior a transit vehicle, regardless of whether it is in motion.
12. throw any object at or from a transit vehicle.
13. place their foot or feet on a seat of a transit vehicle.

B. Disturbing the Peace. No person shall breach the peace in or upon a transit facility by:

1. igniting any flame.

2. spitting, defecating, or urinating.
3. intimidating, threatening, or harassing another person.
4. fighting, using violence or engaging in tumultuous behavior.
5. making excessive noise.
6. using obscene, lewd, or abusive language or gestures.

C. Animals.

1. *Service Animal.* A dog that is acting as a service animal is permitted in transit facilities if the dog is trained to assist an individual with a disability as defined by the American with Disabilities Act.
2. Other than a service animal, no person shall bring an animal into a transit facility unless the animal:
  - i. remains in an enclosed carry-on;
  - ii. does not occupy a seat;
  - iii. does not obstruct the movement of passengers or the Authority Representatives; and
  - iv. does not create a nuisance or disturbance.

D. Penalty

1. A violation of this Section is punishable as an Infraction.

**Section 9. Property.**

A. Conduct on Rights-of-Way. A person shall not:

1. enter or remain upon any Right-of-Way (other than the platforms, boarding zones, and designated walkways) unless authorized to do so by these Ordinances.
2. cross, occupy or remain in a Right-of-Way except to cross in a designated walkway in compliance with all signs and markings.

3. place or cause to be placed any object on a Right-of-Way that could make contact with a transit vehicle or interfere with the safe and uninterrupted passage of a transit vehicle.
4. operate a vehicle in a Right-of-Way in violation of any gate, barrier, sign, marking or signal.

B. Encroachment Upon Authority Property. Unless given permission by the Authority, no person shall:

1. deposit waste, garbage, grass clippings, soil, hazardous material, or any other material upon authority property.
2. plant vegetation or trees, cultivate, dig, or grade upon authority property.
3. construct or cause to be constructed any structure, fence, device, shed, wall, pedestrian or vehicular access, or other improvement upon authority property.
4. place any trampoline, playset, sports court or other item on authority property.
5. store personal property, including vehicles, on authority property.
6. house or permit to roam on authority property any livestock, horses, goats, chickens, or other animals.
7. drain water onto authority property or connect to utilities owned by the Authority.

C. Trespass. No person shall enter onto or remain on authority property when notice against entering or remaining is provided by:

1. direct communication or communication over a loudspeaker to the person by an Authority Representative or Transit Police Officer.
2. fencing, barricade, or other barrier designed to exclude intruders.
3. posted signs.

D. Penalty

1. A violation of this Section is punishable as an Infraction.
2. An encroachment is punishable for each separate day the violation persists.

**Section 10. Enforcement**

- A. Transit Police Officers shall be responsible for preserving the public peace, preventing crime, detecting and arresting criminal offenders, protecting the rights of persons and property, regulating and controlling pedestrian traffic, and providing and maintaining police records and communications systems of the Authority.
- B. A Transit Police Officer, Operator, or Authority Representative may eject or refuse service to any passenger who violates these Ordinances.