

Criminal Ordinance Review



UTA Public Ordinance Update

- UTA Ordinances
- Pursuant to Utah Code Ann. §§ 17B-1-301 and 17B-2a-808; A board of trustees of a large public transit district may:
 - Make and pass ordinances, resolutions, and orders that are:
 - Not repugnant to the United States Constitution, the Utah Constitution, or the provisions of this part; and
 - Necessary for:
 - (A) the governance and management of the affairs of the district;
 - (B) the execution of district powers; and
 - (C) carrying into effect the provisions of this part;



UTA Criminal Ordinance

- Cross functional Team – Legal, Planning & Engagement, Police, Operations, Real Estate/Properties, Safety, and Customer Service
- Goals
 - Increase compliance, clarify and make consistent
 - Update to align with new technologies and current practices
 - Review internal processes and procedures
- Trespassing Ordinance will be updated in a similar manner



Criminal Ordinance Overview

The draft ordinance includes 10 sections:

1. Definitions
2. Authority
3. Rules of Construction
4. Adoption of Utah Codes
5. Classification of Offenses
6. Vehicles
7. Use of Transit Facilities
8. Conduct While Using Transit Facilities
9. Property
10. Enforcement



Section 4 – Adoption of Utah Codes

- Utah Criminal Code
- Utah Code of Criminal Procedure
- Utah Controlled Substances Act and Utah Drug Paraphernalia Act Adopted
- Utah Traffic Code Adopted
- Utah Indoor Clean Air Act Adopted
- Utah Railroad Code Adopted
- Citation to State Code



Section 5 – Classification of Offenses

- Violations of a section of the Utah State Code incorporated herein shall have the same classifications and penalties as provided by state law.
- 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.
- 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

Provides permitted and non-permitted uses of transit facilities relevant to vehicles

- Parking
- Towing
- Traffic

Section 7 - Use of Transit Facilities

Defines permitted and unpermitted uses of transit facilities



Section 8 – Conduct While Using Transit Facilities

- Prohibited conduct
- Disturbing the peace
- Animals
 - Service animals
 - Other animals



Section 9 - Property

- Conduct on Right-of-Ways
- Encroachment Upon Authority Property
- Trespass

Section 10 - Enforcement

- Transit police officers' responsibilities
- UTA may eject/refuse service to any passenger who violates these Ordinances



UTA Ordinance Update Public Engagement & Timeline

- December – Board review Fare Payment Ordinance
- January-February – Public Comment period on Fare Payment Ordinance
- March-April – Board review Criminal Ordinance; Public Comment on Criminal Ordinance
- April-May – Board review Trespassing Ordinance; Public Comment on Trespassing Ordinance
- June-July – Advisory Council review updated Ordinances; Board adopt updated Ordinances



Discussion

