

10-11-1 Abatement of weeds, garbage, refuse, and unsightly objects -- Selection of service provider.

- (1) A municipal legislative body may:
 - (a) designate and regulate the abatement of:
 - (i) the growth and spread of injurious and noxious weeds;
 - (ii) garbage and refuse;
 - (iii) a public nuisance; or
 - (iv) an illegal object or structure; and
 - (b) appoint a municipal inspector for the purpose of carrying out and in accordance with the provisions of this chapter.
- (2) A municipal legislative body may not:
 - (a) prohibit an owner or occupant of real property within the municipality's jurisdiction, including an owner or occupant who receives a notice in accordance with Section 10-11-2, from selecting a person, as defined in Section 10-1-104, to provide an abatement service for injurious and noxious weeds, garbage and refuse, a public nuisance, or an illegal object or structure; or
 - (b) require that an owner or occupant described in Subsection (2)(a) use the services of the municipal inspector or any assistance employed by the municipal inspector described in Section 10-11-3 to provide an abatement service described in Subsection (2)(a).
- (3) A municipality may require that an owner or occupant described in Subsection (2)(a) use the abatement services, as described in Section 10-11-3, of the municipal inspector or any assistance employed by the municipal inspector if:
 - (a) the municipality adopts an ordinance providing a reasonable period of time for an owner or occupant to abate the owner's or occupant's property after receiving a notice described in Section 10-11-2; and
 - (b) the owner or occupant fails to abate the property within the reasonable period of time and in accordance with the notice.

Amended by Chapter 144, 2011 General Session

Amended by Chapter 144, 2011 General Session, (Coordination Clause)

Amended by Chapter 172, 2011 General Session