

10-8-58 Jails and workhouses -- Establishment and maintenance.

The governing body of a city or town may:

- (1) establish, erect, and maintain city jails, houses of correction, and workhouses for the temporary confinement, not to exceed 72 hours, of persons convicted of violating any city ordinances;
- (2) make rules for the government of them;
- (3) appoint necessary jailers and keepers; and
- (4) use the county correctional facilities, including the county jail, for the confinement or punishment of offenders on the following conditions:
 - (a) a city or town may use the county correctional facilities without payment of compensation or reimbursement for incarceration costs or costs associated with booking of offenders in county correctional facilities;
 - (b) subject to any conditions that are imposed by law; and
 - (c) with the consent of the county legislative body which may include, without limitation, the allocation or rationing of correctional facility capacity and prohibition of booking for classes of offenses or offenders. These limitations shall be applied equally to all entities using the county correctional facilities.
- (5) If consent is given for the use of the county correctional facilities, the sheriff, at the sheriff's discretion, may assign offenders to county correctional facilities or programs or transfer offenders between facilities or programs.
- (6) Nothing contained in this section shall:
 - (a) preclude cities, towns, and counties from executing written agreements containing terms or conditions for the use of the county jail; or
 - (b) invalidate any agreements entered into prior to July 1, 2004.

Amended by Chapter 353, 2007 General Session