

Effective 5/14/2019

Superseded 5/12/2020

17-53-223 Ordinances -- Power to enact -- Penalty for violation.

- (1) A county legislative body may:
 - (a) pass all ordinances and rules and make all regulations, not repugnant to law, necessary for carrying into effect or discharging the powers and duties conferred by this title, and as are necessary and proper to provide for the safety, and preserve the health, promote the prosperity, improve the morals, peace, and good order, comfort, and convenience of the county and its inhabitants, and for the protection of property in the county;
 - (b) enforce obedience to ordinances with fines or penalties as the county legislative body considers proper; and
 - (c) pass ordinances to control air pollution.
- (2)
 - (a) Punishment imposed under Subsection (1)(b) shall be by fine, not to exceed the maximum fine for a class B misdemeanor under Section 76-3-301, imprisonment, or both fine and imprisonment.
 - (b) When a penalty for a violation of an ordinance includes any possibility of imprisonment, the county legislative body shall include in the ordinance a statement that the county is required, under Section 78B-22-301, to provide for indigent defense services, as that term is defined in Section 78B-22-102.
- (3)
 - (a) Except as specifically authorized by statute, the county legislative body may not impose a civil penalty for the violation of a county traffic ordinance.
 - (b) Subsection (3)(a) does not apply to an ordinance regulating the parking of vehicles on a highway.