

TITLE 14. HEALTH

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Chapter 2. General Provisions

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14-2-1 Creation. Clinton City joins with Davis County and other participating towns and cities of Davis County in the creation of a full time city-county health department in Davis County, Utah.

14-2-2 Area of Authority. The city-county health department known as the Davis County Department of Health, is authorized and empowered to act within the incorporated limits of Clinton City, in accordance with authority granted to a city-county health department in Title 26A, Chapter 1, Section 101, et seq., Utah Code (as amended). This Davis County Department of Health shall be organized and administered in accordance with the ordinance of September 2, 1954, duly enacted by the Board of County Commissioners, and applicable amendments thereto.

14-2-3 Regulations. The Clinton City Council shall have power and retains the right to adopt regulations controlling the manner and circumstances under which the systems established by this Title may be used, in addition to the regulatory provisions set forth expressly in this Title.

14-2-4 Responsibility of Administration. The Clinton City Manager shall administer, implement, and enforce the provisions of this Title. Any powers granted or duties imposed upon Clinton City may be delegated by the City Manager to persons or entities acting in the beneficial interest of or in the employ of Clinton City.

14-2-5 Office of Primary Responsibility. The Clinton Community Development Department is the Office of Primary Responsibility for review and proposing changes to this Title. The Community Development Director may call on other departments for assistance in reviewing this Chapter.

History: 01/10

Chapter 3. Definitions

14-3-1 Definitions

14-3-1 Definitions. For the purpose of this Title, the following words and phrases shall, when used in this Title, have the meanings respectively ascribed to them by this section:

“City” means Clinton City.

“Community Development” means the Clinton City Community Development Department.

“Fireworks” means any composition or device manufactured or used for the purpose of producing a visible or audible effect by combustion, deflagration, or detonation but does not include model rockets, toy pistol caps, emergency signal flares, snakes or glow worms, party poppers, wire sparklers under 36 inches in length, matches, or class “A” and “B” explosives.

“Food” includes all articles used for food, drink, confectionery or condiment by man, whether simple, mixed or compound, except milk and milk products produced under the State Dairy Laws.

“Food Establishment” includes any place where food is manufactured, packed, kept, stored, prepared, dispensed, offered or exposed for sale, trade or barrier.

“Health Department” means the Davis County Department of Health.

“License” means Clinton City Business License.

“Person” means any individual, public or private corporation, partnership, association, firm, trust, estate, the state or any department, institution, bureau, or agency thereof, any municipal corporation, county, city and county, or other political subdivision of the state, or any other legal entity whatsoever which is recognized by the law as being subject to rights and duties.

History: 01/10

Chapter 4. Licensing

- 14-4-1 License - Required
- 14-4-2 License – Requirements
- 14-4-3 Preparation of License

14-4-1 License - Required.

(1) It is unlawful for any person to open any food establishment or to sell, offer or expose for sale or consumption any food or food products, beverages, milk or water unless a License to conduct the same has been secured from the Community Development Business License Administrator for this purpose unless otherwise stated in this Title.

(2) Applications for any License shall be on forms provided by the Business License Administrator.

(3) Any person properly registered and participating in a City sponsored festival or instruction period, with a limited time of operation, is not required to obtain a License for the period of instruction or festival. This does not exempt the participant from requirements of the County Health Inspector or State Food Code.

14-4-2 License - Requirements. No License to conduct a food establishment shall be issued or reissued by the Business License Administrator of the City unless the same has first been approved by the County Health Inspector, who shall not approve the issuance of the License unless the proposed food establishment complies with all of the requirements of the state Food Code.

14-4-3 Preparation of License. A License necessary to carry out the provisions of this chapter shall be prepared and furnished by the Business License Administrator as established in Title 15 of the City Code.

History: 01/10

Chapter 5. Sanitary Rules and Regulations

- 14-5-1 Wholesome Food Act Adoption
- 14-5-2 Title 4, Chapters 3 and 4 of Utah Code, Adopted
- 14-5-3 Standards of Purity
- 14-5-4 Rules and Regulations – Council Authority
- 14-5-5 Interference Prohibited

14-5-1 Wholesome Food Act Adoption. The Act titled "Utah Wholesome Food Act" located in Title 4, Chapter 5, Utah Code (as amended), together with all amendments that may hereafter be made by state law, is hereby adopted by this reference and made a part of the ordinances of this City.

14-5-2 Title 4, Chapters 3 and 4 of Utah Code, Adopted. Chapter 3, titled "Utah Dairy Act," and Chapter 4, titled "Eggs," of Title 4, Utah Code (as amended), together with all amendments that may hereafter be made by state law, are hereby adopted by this reference and made a part of the ordinances of this City.

14-5-3 Standards of Purity. The standard of purity of food under this chapter shall be the same as prescribed by the state law and as that proclaimed by the Secretary of the United States Department of Agriculture, the food inspection divisions and the service and regulatory announcements of the Bureau of Chemistry, United States Department of Agriculture, or any amendments thereto. The above standards and the standards of the state law shall be used as a basis for food establishments under the terms of this chapter.

14-5-4 Rules and Regulations - Council Authority. The county health officer shall prepare rules and regulations relating to the establishment and operation of certified food establishments. The rules and regulations shall be effective even if the Council does not take formal action to adopt them.

14-5-5 Interference Prohibited. It is unlawful for any person to tear down, deface, or remove any card or flag placed for quarantine or other purposes by the Health Department without the consent of the Board or in any manner to hinder, interfere with, or delay the Board, or an Officer of the Board in the performance of their duties.

History: 01/10

Chapter 6. Enforcement

- 14-6-1 License - Revocation
- 14-6-2 License – Surrender of Certificate
- 14-6-3 Misleading Advertising Prohibited
- 14-6-4 Penalty

14-6-1 License - Revocation. The County Health Inspector shall have the power to revoke any License certificate issued to any food establishment under the provisions of this Title, in the event that the food establishment fails to keep up the standards required under the rules and regulations adopted for certified food establishments. Non-licensed establishments allowed under § 14-4-1(3) are subject to this section.

14-6-2 License - Surrender of Certificate. It is unlawful for any person to fail, refuse or neglect to surrender upon demand a License certificate to the county health officer, or his deputy, after the same has been revoked or suspended in accordance with the provisions of this chapter.

14-6-3 Misleading Advertising Prohibited. It is unlawful for any person to advertise any food establishment in a manner as to mislead the public or to give the impression that establishment has an unrevoked License as provided in the provisions of this chapter.

14-6-4 Penalties.

- (1) Any person who is found guilty of violating any of the provisions of these rules and regulations, either by failing to do those acts required herein or by doing a prohibited act, is guilty of a class "C" misdemeanor.
- (2) Each day a violation is committed or permitted to continue shall constitute a separate violation.
- (3) The City Attorney may initiate legal action, civil or criminal, requested by Community Development to abate any condition that exists in violation of these rules and regulations.
- (4) In addition to other penalties imposed by a court of competent jurisdiction, any person(s) found guilty of violating any of these rules and regulations shall be liable for all expenses incurred by Community Development in removing or abating any nuisance, source of filth, cause of sickness or infection, health hazard, or sanitation violation.

History: 01/10

Chapter 7. Irrigation Water

- 14-7-1 Use Restrictions
14-7-2 Hydrant Operation

14-7-1 Use Restrictions. It is unlawful for any person to:

- (1) Use or cause to be used any untreated or nonpotable water from a pressure irrigation system for other than irrigation purposes;
- (2) Interconnect or cause to be interconnected the potable and nonpotable portions, distribution systems or service lines of dual water supplies or extensions thereof;
- (3) Install or cause to be installed in the same trench or trenches the distribution or service lines for potable and nonpotable water. Install a pipe joint, (union, nipple, or other connection) of either type of water system across, above, or under a pipe in an existing trench of the other system;
- (4) Connect or cause to be connected a service line to any distribution system or main line without authority of the district, municipality, company, or person having jurisdiction of the nonpotable water supply;
- (5) Extend or cause to be extended into any building a nonpotable water supply system or service line;
- (6) Connect or cause to be connected to any fire hydrant, a nonpotable water supply system or service line;
- (7) Expose or cause to be exposed any portions of a nonpotable water supply system or extensions or service line thereof, without identifying the same by distinctive coloring or other suitable means sufficient to distinguish the same from potable water supply systems, extensions, or service lines; or
- (8) Contaminate or cause to be contaminated any source of supply, distribution system, or service line furnishing or carrying nonpotable water.

14-7-2 Hydrant Operation. All hydrant or garden hose bib control valves for the distribution of nonpotable water shall be painted red.

History: 01/10

Chapter 8. Miscellaneous Health and Safety Regulations

- 14-8-1 Dead Animals or Offensive Substances; Keeping or Disposing of Prohibited
- 14-8-2 Dead Animals or Offensive Substances - Duty to Remove
- 14-8-3 Keeping Animal Premises in Unsanitary Condition Prohibited
- 14-8-4 Empty Buildings
- 14-8-5 Manufacturing Waste or Unsound Containers - Nuisance When
- 14-8-6 Fireworks

14-8-1 Dead Animals or Offensive Substances; Keeping or Disposing of Prohibited. It is unlawful for any person to:

- (1) Leave exposed in any street, avenue, highway, alley, lot, public ground or watercourse within the City the carcasses of any dead animal, or any unsound meat, fish, or other substance, or to permit the same to be done with his consent; or,
- (2) To make, use, keep or permit in his dwelling, shop, store, factory, outbuilding, cellar, yard, lot or other place within the City any noxious or offensive liquid or substance prejudicial to the health of the citizens; or,
- (3) To throw any filth, offal or other offensive matter into any street, avenue, highway, public ground, alley, lot or watercourse in the City, or to permit or cause the same to run in any watercourse.

14-8-2 Dead Animals or Offensive Substances - Duty to Remove. It shall be the duty of all persons owning or having charge of animals which die or are found dead to have the dead animals removed at their own expense to an authorized solid waste facility or to an authorized byproducts company, and all putrid meats, fish, clippings of hides, pelts or other offensive substances shall likewise be disposed of. If the persons whose duty it is to dispose of the animals, putrid meats, fish, clippings of hides, pelts or other offensive substances shall fail for twenty four (24) hours to discharge their duties as required in this Chapter, the Health Official is authorized to have the same disposed of at the expense of the party whose duty it may be to dispose of the same.

14-8-3 Keeping Animal Premises in Unsanitary Condition Prohibited. Animal Enclosures: It is unlawful for any person having charge of any stable, stall, shed, run, apartment or yard in which any animal is kept, or any place within the limits of the City in which manure or liquid discharges of any animal accumulate or collect, to permit a stable, stall, shed, run, apartment or yard to be kept in an unclean or unsanitary condition.

14-8-4 Empty Buildings. The owners or agents or

persons in charge of unoccupied buildings or structures within the City limits shall keep the buildings and structures closed and securely locked.

14-8-5 Manufacturing Waste or Unsound Containers - Nuisance When. Whenever there is found in or about any lot or piece of ground any dirt gathered in cleaning yards; waste of manufacturing products or materials; or any rags, damaged merchandise, wet, broken or leaking barrels, casks or boxes of any materials which are offensive or tend to decay, to become putrid or to render the atmosphere offensive or unwholesome, the same shall be deemed a nuisance, and it shall be unlawful for any person occupying or owning the premises to fail to abate the nuisance.

History: 01/10

14-8-6 Fireworks.

- (1) Except as otherwise provided under § (3) below, it is unlawful for any person within the limits of the City to discharge, explode or set off any rocket, squib, firecracker, Roman candle, cannon, gun, rifle, pistol or any other firearm or fireworks, or combustible or explosive matter whatever without first obtaining a valid permit issued by the Clinton City Fire Department.
- (2) It is unlawful for any person to sell or to offer for sale or have in their possession or custody any rocket, squib, firecracker, Roman candle, fire balloon or other combustible or explosive fireworks or any article for the making of pyrotechnical display, except sparklers and cap pistols and caps, without first obtaining from the City a License to sell or offer for sale or have in their custody any such article.
- (3) Subject to the prohibitions provided in § (4) below, class "C" common state approved explosives, as defined in the Utah fireworks act, Utah Code Annotated section 53-7-201 et seq., may be discharged without a permit three (3) days before, on the day of, and three (3) days following July 4, July 24, January 1, and on the Chinese New Year.
- (4) Prohibited Acts And Activities: It shall be unlawful for any person to:
 - (a) Ignite, explode, project or otherwise fire or use, or permit the ignition, explosion, or projection of any fireworks:
 - (i) Across or over public rights-of-way.
 - (ii) In, over or onto public parks, or other public

property or the property of another.

- (b) Ignite, explode, or otherwise make use of any fireworks within one hundred feet (100') of any fireworks stand.
- (c) Ignite, explode, project or otherwise fire or make use of any fireworks within twenty feet (20') of any residence, dwelling or other structure.
- (d) Ignite or discharge any fireworks within or throw the same from a motor vehicle.
- (e) Place any ignited article of fireworks into or near a motor vehicle or near any person or group of people.
- (f) Throw any ignited article of fireworks into or at a motor vehicle, or at or near any person or group of people.
- (g) Ignite, explode, project, or otherwise fire or use, or assist in the ignition, explosion or projection of any fireworks in a location where such use has been prohibited by order of the fire marshal. It is a violation of this section for a person who ignites or assists in igniting fireworks in a lawful location to allow the fireworks to be launched into, projected over, or to land in a prohibited area. No person shall be prosecuted under this section when acting reasonably under authority of a permit issued by the City.

History: 01/10