

ORDINANCE NO. 09-06

ROLL CALL

VOTING	YES	NO
MAYOR JOE L THOMAS <i>(votes only in case of tie)</i>	Absent	
G. WAYNE ANDERSON <i>Councilmember</i>	X	
MATTHEW D. BARBER <i>Councilmember</i>	X	
STEVE LEIFSON <i>Councilmember</i>	X	
SETH SORENSEN <i>Councilmember</i>	X	
CHRIS C. WADSWORTH <i>Councilmember</i>	X	

I MOVE this ordinance be adopted: Sorensen

I SECOND the foregoing motion: Leifson

ORDINANCE NO. 09-06

ORDINANCE AMENDING THE MUNICIPAL CODE

CONCERNING LEAVING CHILDREN IN VEHICLES

WHEREAS, law enforcement is frequently called to respond to complaints of children left in vehicles within Spanish Fork City;

WHEREAS, the practice of leaving children unattended in vehicles is known to be detrimental to the health, safety, and welfare of the child; and

WHEREAS, current State law proscribes only intentional abuse as opposed to the negligent behavior at issue in leaving an unattended child in a vehicle;

NOW THEREFORE, be it ordained and enacted by the Spanish Fork City Council as follows:

1. Section 9.04.040 of the Spanish Fork City Municipal Code is hereby enacted to read as follows:

Leaving Children in Vehicles

A. It shall be unlawful for any person within the limits of this City, having in his or her care, control, or under his or her guidance, any minor child under six (6) years of age, to at any time leave such a child unattended in any automobile, bus, or other vehicle or trailer, located upon a public street, a publicly-owned or privately-owned parking lot open to the general public or to business invitees, or at any other public place, if the child's health or welfare could be adversely effected.

B. A child is "unattended" within the meaning of this section if the oldest person in the vehicle is a person under the age of twelve (12) years.

C. Violation of this section is a class B misdemeanor.

2. This ordinance shall become effective September 1, 2006.

PASSED AND ORDERED PUBLISHED BY THE SPANISH FORK CITY COUNCIL OF SPANISH FORK, UTAH, this 15th day of August, 2006.

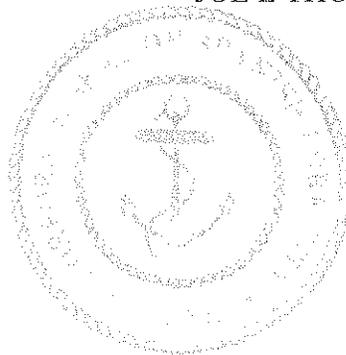


JOE L THOMAS, Mayor

ATTEST:



KENT R. CLARK, City Recorder



Proof of Publication

THE SPANISH FORK PRESS, a weekly newspaper printed and published at Spanish Fork, Utah County, Utah and of general circulation therein; that the Notice, a copy of which is hereto attached, was printed and published in said paper

for consecutive 1 weeks,

the first publication on the 8 day

of February 2007

And the last on the 8 day

of February 2007

Ernie Jung

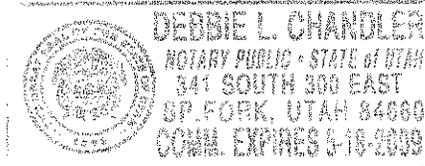
ORDINANCE NO.
09-06

The Spanish Fork City Council has amended the Municipal Code as follows:

It shall be unlawful for any person within the limits of this City, having in his or her care, control, or under his or her guidance, any minor child under six (6) years of age,

to at any time leave such a child unattended in any automobile, bus, or other vehicle or trailer, located upon a public street, a publicly-owned or privately-owned parking lot open to the general public or to business invitees, or at any other public place, if the child's health or welfare could be adversely

effected. Violation of this section is a class B misdemeanor. Adopted on the 15th day of August, 2006. A complete copy of this ordinance is available at the Spanish Fork City Office, 40 South Main, Spanish Fork.
Published in the **Spanish Fork Press** on February 8, 2007.



Subscribed and sworn to before me this 8th day of February 2007

Debbie L. Chandler
Notary Public