

**13-76-9-702.5 LEWDNESS INVOLVING A CHILD.**

1. A person is guilty of lewdness involving a child if the person under circumstances not amounting to rape of a child, object rape of a child, sodomy upon a child, sexual abuse of a child, or an attempt to commit any of these offenses, performs an act of sexual intercourse or sodomy, exposed his or her genitals or private parts, masturbates, engages in trespassory voyeurism, or performs any other act of gross lewdness in a public place or under circumstances which he or she should know will likely cause a front or alarm to, on, or in the presence of another who is under 14 years of age.
2. Lewdness involving a child is class B misdemeanor.

**13-76-9-703. LOITERING.**

1. A person is guilty of loitering if he appears at a place or at a time under circumstances that warrant alarm for the safety of persons or property in the vicinity, and upon inquiry by a law enforcement official, he fails to give a reasonably credible account of his identity, conduct, or purposes.
2. No person shall be convicted under this section if the explanation he gave of his conduct and purposes was true and, if believed by the law enforcement official at the time, would have dispelled the alarm.
3. Loitering is a class C misdemeanor.

**13-76-9-704. ABUSE OF A CORPSE.**

1. A person is guilty of abuse of a corpse if he intentionally and unlawfully:
  - a. Removes, conceals, dissects, or destroys a corpse or any part thereof; or
  - b. Disinters a corpse that has been buried or otherwise interred.
2. An offense under this section is a class B misdemeanor.

**CHAPTER 13-76-10-000. OFFENSES AGAINST PUBLIC HEALTH, SAFETY, WELFARE AND MORALS.**

**PART 13-76-10-100. CIGARETTES AND TOBACCO AND PSYCHOTOXIC CHEMICAL SOLVENTS.**

**13-76-10-101. "PLACE OF BUSINESS" AND "ENCLOSED PUBLIC PLACE" DEFINED.** For the purposes of this part:

1. "Place of business" means any and all such places as shops, stores, factories, public garages, offices, theaters, recreation and dance halls, poolrooms, cafes, cabarets, restaurants, hotels, lodging houses, streetcars, buses, interurban and railway passenger coaches and waiting rooms.
2. "Enclosed public place" means the dining rooms in hotels, restaurants, cafes and cafeterias, theaters, arenas, passenger elevators, streetcars, buses, interurban and railway passenger coaches, motor and other passenger vehicles used by common carriers, railway station waiting rooms, and state, county and city buildings; but the owner or proprietor of any hotel dining room, restaurant, cafe, or cafeteria may designate the same as a public smoking room by a conspicuous sign at or near the

entrance, and in any state, county, or city building any public officer who has a private office separate and apart from his public office may, if he so desires, designate the private office as a place where smoking may be permitted, and, so long as the private office is so designated, smoking therein shall not be considered in violation of this section.

**13-76-10-102. CIGARETTES AND TOBACCO - ADVERTISING RESTRICTIONS.** It is a class B misdemeanor for any person to display on any billboard, streetcar sign, streetcar, bus, placard, or on any other object or place of display, any advertisement of cigarettes, cigarette papers, cigars, chewing tobacco, or smoking tobacco or any disguise or substitute of either, except that a dealer in cigarettes, cigarette papers, tobacco or cigars, or their substitutes, may have a sign on the front of his place of business stating that he is a dealer in the articles; provided that nothing herein shall be construed to prohibit the advertising of cigarettes, cigarette papers, chewing tobacco or smoking tobacco, or any substitute of either, in any newspaper, magazine or periodical printed or circulating in this city.

**13-76-10-103. PERMITTING MINORS TO USE TOBACCO IN PLACE OF BUSINESS.** It is a class C misdemeanor for the proprietor of any place of business to knowingly permit persons under age nineteen to frequent a place of business while they are using tobacco.

**13-76-10-104. FURNISHING CIGARS, CIGARETTES OR TOBACCO TO MINORS.** Any person who sells, gives or furnishes any cigars, cigarette or tobacco in any form, to any person under nineteen years of age, is guilty of a class C misdemeanor.

**13-76-10-105. BUYING OR POSSESSING CIGARS, CIGARETTES OR TOBACCO BY MINORS.** Any person under the age of nineteen years who buys, accepts, or who has in his possession any cigar, cigarette or tobacco in any form is guilty of a class C misdemeanor, or may be classified as a delinquent child and referred to the juvenile courts.

**13-76-10-106. USE OF CIGARS, CIGARETTES OR TOBACCO IN ENCLOSED PUBLIC PLACE.** Section 76-10-106, *Utah Code Annotated 1953*, is incorporated herein by reference and renumbered 13-76-10-106.

**13-76-10-107. ABUSE OF PSYCHOTOXIC CHEMICAL SOLVENTS.**

1. A person is guilty of abuse of psychotoxic chemical solvents if:

A. For the purpose of causing condition of intoxication, inebriation, excitement, stupefaction, or the dulling of his brain or nervous system, he intentionally:

(i) Smells or inhales the fumes of any psychotoxic chemical solvent; or

(ii) Possess, purchases, or attempts to possess or purchase any psychotoxic chemical solvent.

B. Knowing or believing that a purchaser or another intends to use a psychotoxic chemical in violation of subsection A (i) or A (ii), sells or offers to sell any psychotoxic chemical solvent.

2. This section shall not apply to the prescribed use, distribution, or sale of those substances for medical or dental purposes.

3. Abuse of psychotoxic chemical solvents is a class B misdemeanor.

4. As used in this section psychotoxic chemical solvent includes any glue, cement, or other substance containing one or more of the following chemical compounds: acetone, acetate, amyl nitrite, or their isomers, benzene, butyl-alcohol, butyl nitrite, butyl nitrate, or their isomers, ethyl-alcohol, ethyl nitrite, ethyl nitrate, ethylene dichloride, isobutyl alcohol, methyl alcohol, methyl ethyl ketone, n-propyl alcohol, pentachlorophenol, petroleum ether, propyl nitrite, propyl nitrate or their isomers, toluene or xylene, or other chemical substance capable of causing condition of intoxication, inebriation, excitement, stupefaction, or the dulling of the brain or nervous system as a result of inhalation of the fumes or vapors of such chemical substances. Nothing in this section shall be construed to include any control substance regulated by the provisions of title 58, chapter 37, *Utah Code Annotated 1953*.

**13-76-10-108. DESIGNATED SMOKING AREAS.** Section 76-10-108, *Utah Code Annotated 1953*, as amended, is incorporated herein by reference and renumbered 13-76-10-108.

**13-76-10-109. DUTIES OF PROPRIETOR OF PUBLIC PLACE.** Section 76-10-109, *Utah Code Annotated 1953*, as amended, is incorporated herein by reference and renumbered 13-76-10-109.

**13-76-10-110. VIOLATIONS.** Section 76-10-110, *Utah Code Annotated 1953*, as amended, is incorporated herein by reference and renumbered 13-76-10-110.

**PART**

**13-76-10-200. WATERS.**

**13-76-10-201. INTERFERENCE WITH CONTROL OF WATER COMMISSIONER.** Every person who in any way interferes with or alters the flow of water in any stream, ditch, or lateral while under the control or management of the water commissioner or superintendent is guilty of a class B misdemeanor.

**13-76-10-202. TAKING WATER OUT OF TURN OR EXCESS AMOUNT - INJURING FACILITIES.** Every person who, in violation of any right of any other person, willfully turns or uses the water, or any part thereof, of any canal, ditch, pipeline, or reservoir, except at a time when the use of the water has been duly distributed to the person or willfully uses any greater quantity of water than has been duly distributed to him, or in any way changes the flow of water when lawfully distributed for irrigation or other useful purposes, except when duly authorized to make the change, or willfully and maliciously breaks or injures any dam, canal, pipeline, watergate, ditch, or other means of diverting or conveying water for irrigation or other useful purposes, is guilty of a class B misdemeanor.

**13-76-10-203. OBSTRUCTION OF WATERGATES BY LOGS.** Every person who rafts or floats logs, timber, or wood down any river or stream and allows the logs, timber, or wood to accumulate at or obstruct the watergates owned by any person or irrigation company taking or diverting the water of the river or stream for irrigation or manufacturing purposes is guilty of a class B misdemeanor.

**13-76-10-204. INJURING BRIDGE, DAM, CANAL OR OTHER WATER-RELATED STRUCTURE.** Every person who willfully and maliciously cuts, breaks, injures, or destroys any bridge, dam, canal, flume, aqueduct, levee, embankment, reservoir, or other structure erected to create hydraulic power, or to drain or reclaim any swamp and overflowed or marsh land, or to conduct water for mining, manufacturing, reclamation, or agricultural purposes, or for the supply of the inhabitants of city; or willfully or maliciously makes or causes to be made any aperture in any such dam, canal, flume, aqueduct, reservoir, embankment, levee, or structure with intent to injure or destroy it; or draws up, cuts or

injures any piles fixed in the ground and used for securing any lake or river bank or walls or any dock, quay, jetty, or lock is guilty of a class B misdemeanor.

**PART 13-76-10-300. EXPLOSIVES.**

**13-76-10-301. UNLAWFUL HANDLING OF EXPLOSIVES.**

1. Every person who makes or keeps nitroglycerin or other high explosive substances of five or more pounds of gunpowder within this city, or who carries it through the streets hereof, without first obtaining a permit therefore from the recorder, shall be guilty of a class B misdemeanor.
2. The recorder may impose as a condition of receiving and keeping a permit under this section, that the person comply with reasonable safety standards as the chief of police may require.

**13-76-10-302. MARKING OF CONTAINERS OF EXPLOSIVES BEFORE TRANSPORTATION OR STORAGE.** Every person who knowingly leaves with or delivers to another, or to any express or railway company or other common carrier, or to any warehouse or storehouse, any package containing nitroglycerine, dynamite, guncotton, gunpowder, or other highly explosive compound, or any benzine, gasoline, phosphorus, or other highly inflammable substance, or any vitriol, sulphuric, nitric, carbolic, muriatic, or other dangerous acid, chemical or compound, to be handled, stored, shipped, or transported, without plainly marking and indicating on such package the name and nature of the contents thereof, is guilty of a class B misdemeanor.

**13-76-10-303. POWDERHOUSES.** Every person who builds, constructs, or uses within 300 feet of any residence or traveled county road any powder house, magazine, or building in which more than five pounds of gunpowder, dynamite or other explosive is kept in quantities exceeding 500 pounds is guilty of a class B misdemeanor.

**13-76-10-304. MARKING OF CONTAINERS OF EXPLOSIVES HELD FOR SALE OR USE.** It shall be a class B misdemeanor to sell or offer for sale or take or solicit orders of sale, or purchase or use, or have on hand or in store for the purpose of sale or use, any giant, hercules, atlas, venture or any other high explosive containing nitroglycerin, unless on each box or package and wrapper containing any such high explosive there shall be plainly stamped or printed the name and place of business of the person, partnership, or corporation by whom or by which it was manufactured, and the exact and true date of its manufacture, and the percentage of nitroglycerin or other high explosive contained therein.

**13-76-10-305. DIFFERENT DATES ON CONTAINERS OF EXPLOSIVE PROHIBITED - REUSE OF CONTAINERS PROHIBITED.** It shall be a class B misdemeanor for any person or persons, partnership, or corporation to have two or more different dates on any box or package containing giant, hercules, atlas or venture, or any other high explosive containing nitroglycerin. It shall further be unlawful to use any box, package, or wrapper formerly used by any other person or persons, partnership, or corporation in the packing of such giant, hercules, atlas, venture, or other high explosive containing nitroglycerin, and the name and date on the box or package shall be the same as on the wrapper containing the giant, hercules, atlas, venture, or other explosive containing nitroglycerin.

**13-76-10-306. "INFERNAL MACHINE" DEFINED.** An infernal machine is any box, package, contrivance, bomb, or apparatus containing or arranged with an explosive or acid or poisonous or inflammable substance, chemical, or compound, or knife, loaded pistol, or gun, or other dangerous or harmful weapon or thing, constructed, contrived, or arranged so as to explode, ignite, or throw forth its contents, or to strike with any of its

parts, unexpectedly when moved, handled, or opened, or after the lapse of time or under conditions or in a manner calculated to endanger health, life, limb, or property.

**13-76-10-307. INFERNAL MACHINE - DELIVERY TO COMMON CARRIER, MAILING, OR PLACEMENT ON PREMISES.** Every person who delivers or causes to be delivered to any express or railway company or other common carrier, or to any person, any infernal machine, knowing it to be such, without informing the common carrier or person of the nature thereof, or sends it through the mail, or throws or places it on or about the premises or property of another, or in any place where another may be injured thereby in his person or property, is guilty of a class B misdemeanor.

**13-76-10-308. INFERNAL MACHINE - CONSTRUCTION OR POSSESSION.** Every person who knowingly constructs or contrives any infernal machine or with intent to injure another in his person or property, has any infernal machine in his possession is guilty of a class B misdemeanor.

**PART 13-76-10-400. FENCES.**

**13-76-10-401. FENCING OF SHAFTS AND WELLS.** Any person who has sunk or shall sink a shaft or well for any purpose shall enclose it with a substantial curb or fence, which shall be at least four and one-half feet high. Any person violating the provisions of this section is guilty of a class B misdemeanor.

**PART 13-76-10-500. WEAPONS.**

**13-76-10-501. DEFINITIONS.** For the purpose of this part:

1. "Dangerous weapon" means any item that in the manner of its use or intended use is capable of causing death or serious bodily injury. In construing whether an item, object, or thing not commonly known as a dangerous weapon is a dangerous weapon, the character of the instrument, object, or thing; the character of the wound produced, if any; and the manner in which the instrument, object, or thing was used shall be determinative.
2. "Firearms" means pistols, revolvers, sawed-off shotguns, or sawed-off rifles, and/or any device which could be used as a weapon from which is expelled a projectile by any force.
3. "Sawed-off shotgun" means a shotgun having a barrel or barrels of less than eighteen inches in length, or in the case of a rifle, having a barrel or barrels of less than sixteen inches in length, or any weapon made from a rifle or shotgun (whether by alteration, modification or otherwise) if the weapon as modified has an overall length of less than 26 inches.
4. "Prohibited area" means any place where it is unlawful to discharge a weapon.
5. "Crime of violence" means, murder, voluntary manslaughter, rape, mayhem, kidnapping, robbery, burglary, housebreaking, extortion, or blackmail accompanied by threats of violence, assault with a dangerous weapon, assault with intent to commit any offense punishable by imprisonment for more than one year, or an attempt to commit any of the foregoing offenses.
6. "Bureau" means the Utah state bureau of criminal identification.

**13-76-10-502. WHEN WEAPON DEEMED LOADED.** For the purpose of this part, any pistol, revolver, shotgun, rifle, or other weapon described in this part shall be deemed to

be loaded when there is an unexpended cartridge, shell, or projectile in the firing position, except in the case of pistols and revolvers, in which case they shall be deemed loaded when the unexpended cartridge, shell or projectile is in a position that the manual operation of any mechanism once would cause the unexpended cartridge, shell, or projectile to be fired; and a muzzle loading firearm shall be deemed to be loaded when it is capped or primed and has a powder charge and ball or shot in the barrel or cylinders.

**13-76-10-503. POSSESSION OF DANGEROUS WEAPON BY CONVICTED PERSON, DRUG ADDICT, OR MENTALLY INCOMPETENT PERSON PROHIBITED.** Any person who is not a citizen of the United States or any person who has been convicted of any crime of violence under the laws of the United States, the State of Utah, or any other state, government, or country, or who is addicted to the use of any narcotic drug, or any person who has been declared mentally incompetent shall not own or have in his possession or under his custody or control any dangerous weapon as defined in this part. Any person who violates this section is guilty of class B misdemeanor.

**13-76-10-504. CARRYING CONCEALED DANGEROUS WEAPON.**

1. Any person, except those described in section 13-76-10-503 and those persons exempted under section 13-76-10-510, carrying a concealed dangerous weapon, as defined as in section 76-10-501 et seq., *Utah Code Annotated 1953*, is guilty of a class B misdemeanor, except that a fire arm that contains no ammunition and is enclosed in a case, gun box, or securely tied package shall not be considered a concealed weapon, but, if the dangerous weapon is a fire arm and contains no ammunition, he shall be guilty of class B misdemeanor.
2. Nothing in this part 5 shall prevent any person, except persons described in section 13-76-10-503 from keeping within his place of residence, place of business, or any vehicle under his control any fire arm, except that it shall be a class B misdemeanor to carry a loaded fire arm in a vehicle.

**13-76-10-505. CARRYING LOADED FIREARM IN VEHICLE OR ON STREET.** Every person who carries a loaded firearm in a vehicle or on any public street or in a prohibited area is guilty of a class B misdemeanor.

**13-76-10-506. THREATENING WITH OR USING DANGEROUS WEAPON IN FIGHT OF QUARREL.** Every person who, not in necessary self defense in the presence of two or more persons, draws or exhibits any dangerous weapon in an angry and threatening manner or unlawfully uses the same in any fight of quarrel is guilty of a class B misdemeanor.

**13-76-10-507. POSSESSION OF DEADLY WEAPON WITH INTENT TO ASSAULT.** Every person having upon his person any dangerous weapon with intent to unlawfully assault another is guilty of a class B misdemeanor.

**13-76-10-508. DISCHARGE OF FIREARM FROM VEHICLE OR NEAR HIGHWAY.** It shall be a class B misdemeanor for any person to discharge any kind of firearm from an automobile or other vehicle or to discharge a firearm from, upon, or across any highway.

**13-76-10-509. POSSESSION OF DANGEROUS WEAPON BY MINOR.** A minor under the age of eighteen may not possess a dangerous weapon as defined herein unless he has the permission by parent or guardian to have such weapon or is accompanied by parent or guardian while he has such weapon in his possession. In any event, any minor who is under the age of fourteen years must be accompanied by a responsible adult.

**13-76-10-510. POSSESSION OF WEAPON AUTHORIZED - PERMIT OR LICENSE NOT REQUIRED.** Nothing in this part shall be construed to prohibit a citizen of the United States over the age of eighteen years who resides or is temporarily within this city and who is not within the accepted classes as prescribed by section 13-76-10-505 from owning, possessing, or keeping within his place of residence or place of business or any vehicle under his control any pistol, revolver, or other firearm or dangerous weapon capable of being concealed upon the person, and no permit or license to purchase, own, possess or to keep any such firearm or weapon at his place of residence, or place of business, or any vehicle under his control, shall be required of him.

**13-76-10-511. POSSESSION OF LOADED WEAPON AT RESIDENCE AUTHORIZED.** Nothing in this part shall prevent any person, except person described in section 13-76-10-503, from having a loaded weapon at his place of residence, including any temporary residence or camp.

**13-76-10-512. TARGET CONCESSIONS, TRAP FIELDS, SHOOTING RANGES, AND HUNTING EXCEPTED FROM PROHIBITIONS.** The provisions of sections 13-76-10-503 and 13-76-10-509 shall not apply to any of the following:

1. Patrons firing at lawfully operated target concessions at amusement parks, piers, and similar locations provided that the firearms to be used are firmly chained or affixed to the counters.
2. Patrons of commercial trap or skeet fields or shooting ranges during regular business hours.

**13-76-10-513. LICENSE TO CARRY CONCEALED WEAPONS - REQUIREMENTS FOR ISSUANCE.**

1. The chief of police, on proof that the person applying is of good character and upon showing that good cause exists for the issuance, may issue to such person a license to carry a concealed weapon within their jurisdiction for a period of time not to exceed one year from the issuance date of the license.
2. A license may include reasonable restrictions which the city marshal or chief of police deems warranted including but not limited to, time, place, or circumstances under which the applicant may carry the weapon.

**13-76-10-514. LICENSE - APPLICATION FORM.** The application for license, including a 2" x 2" photograph of the applicant, shall be submitted to the city marshal. Knowingly providing false or misleading on this form is a class B misdemeanor. The application form is shown in Appendix A.

**13-76-10-515. DUTIES OF CHIEF OF POLICE.** The chief of police shall comply with the requirements of section 76-10-515, *Utah Code Annotated 1953*.

**13-76-10-516. LICENSE - FEE - AMOUNT AND DISPOSITION.** Each applicant for a license shall pay a fee of \$3.00 at the time of filing the application. The officer receiving the application shall also receive the \$3.00 fee and shall transmit one-half of the fee together with the fingerprints of the individual to the State Bureau of Criminal Identification. The remaining half of the fee shall be transmitted to the city treasurer.

**13-76-10-517. LICENSE - RECORDS - COPIES TRANSMITTED TO BUREAU.** When any license is issued a record shall be maintained in the office of the city recorder which shall be open to public inspection. Copies of each license issued shall be filed immediately by the chief of police with the State Bureau of Criminal Identification.

13-76-10-518. Reserved.

13-76-10-519. HAND GUN DEALERS' RECORDS. Repealed.

13-76-10-520. Reserved.

13-76-10-521. UNLAWFUL MARKING OF PISTOL OR REVOLVER. Any person who places or stamps on any pistol or revolver any number except one assigned to it by the bureau is guilty of a class B misdemeanor. This section does not prohibit restoration by the owner of the name of the maker, model, or of the original manufacturer's number or other mark of identification when the restoration is authorized by the bureau, nor prevent any manufacturer from placing in the ordinary course of business the name of the maker, model, manufacturer's number, or other mark of identification upon a new pistol or revolver.

13-76-10-522. ALTERATION OF NUMBER OR MARK ON PISTOL OR REVOLVER. Any person who changes, alters, removes, or obliterates the name of the maker, model, manufacturer's number, or other marks of identification, including any distinguishing number or mark assigned by the bureau, on any pistol or revolver, without first having secured written permission from the bureau to make the change, alteration or removal, shall be guilty of a class B misdemeanor.

13-76-10-523. PERSONS EXEMPT FROM WEAPONS LAWS. The provisions of this part shall not apply to any of the following:

1. United States marshalls while engaged in the performance of their official duties.
2. Federal officials required to carry firearms while engaged in the performance of their official duties.
3. Law enforcement officials of this or any other jurisdiction while engaged in the performance of their official duties.
4. Common carriers while engaged in the regular and ordinary transport of firearms as merchandise.
5. Nonresidents traveling in or through this city, provided that any firearm is unloaded and enclosed in a case, gun box, or securely tied package or held securely in a gun rack or locked in the trunk of an automobile in which the nonresident is transporting the firearm.

13-76-10-524. PURCHASE OF FIREARMS IN CONTIGUOUS STATES PURSUANT TO FEDERAL LAW. This part will allow purchases of firearms and ammunition by residents in contiguous states pursuant to the Federal Fire Arms Gun Control Act of 1968, section 922, paragraph B, no. 3.

13-76-10-525. DISPOSITION OF WEAPONS AFTER USE FOR COURT PURPOSES. The police departments which has in its possession a weapon after it has been used for court purposes shall determine the true owner of the weapon and return it to him; however, if unable to determine the true owner of the weapon, or if the true owner is the person committing the crime for which the weapon was used as evidence, the department shall confiscate it and shall revert to the department for their use and/or disposal as the chief of police shall determine.



**PART 13-76-10-600. CHARITY DRIVES.**

**13-76-10-601. DEFINITIONS. As used in this part:**

1. "Person" means any individual, organization, group, association, partnership, corporation, or any combination of them;
2. "Professional fund raiser" means any person who for compensation or any other consideration plans, conducts, or manages the solicitation of contributions for or on behalf of any charitable organization or any other person, or who engages in the business of, or holds himself out to persons as independently engaged in the business of soliciting contributions for such purpose, but shall not include a bona fide officer or employee of a charitable organization;
3. "Professional Solicitor" means any person who is employed or retained for compensation by a professional fund raiser to solicit contributions in this city for charitable purposes.
4. "Charitable organization" means any organization that is benevolent, philanthropic, patriotic, or eleemosynary or one purporting to be such.
5. "Contribution" means the promise or grant of any money or property of any kind or value.

**13-76-10-602 and 13-76-10-603. Repealed.**

**13-76-10-604. VIOLATIONS - CLASSIFICATION OF OFFENSE.** Any person who violates the provision of this part is guilty of a class B misdemeanor.

**PART 13-76-10-700. CORPORATION FRAUDS.**

**13-76-10-701. DEFINITIONS. As used in this part:**

1. "Bona fide shareholder of record" means a shareholder of record who has acquired shares in good faith and is acting for a proper purpose reasonably related to his interest as a shareholder.
2. "Director" means any of the persons having by law the direction or management of the affairs of a corporation, by whatever name the persons are described in its charter or known by law.

**13-76-10-702. FRAUDULENT SIGNING OF SHARE SUBSCRIPTIONS.** Every person who signs the name of a fictitious person to any subscription for, or agreement to take, shares in any corporation existing or proposed, and every person who signs to any subscription or agreement the name of any person, knowing that the person has no means or does not intend in good faith to comply with all the terms thereof, or under any understanding or agreement that the terms of the subscription or agreement are not to be complied with or enforced, is guilty of a class B misdemeanor.

**13-76-10-703. Reserved.**

**13-76-10-704. MISREPRESENTING PERSON AS OFFICER, AGENT, MEMBER OR PROMOTER.** Every person who, without being authorized so to do, subscribes the name of another to, or inserts the name of another in, any prospectus, circular, or other advertisement or announcement of any corporation or joint stock association, existing or intended to be formed, with intent to permit it to be published, and thereby to lead

persons to believe that the person whose name is so subscribed is an officer, agent, member or promoter of such corporation or association, is guilty of class B misdemeanor.

**13-76-10-705. CONCURRENCE BY DIRECTOR IN DIVIDEND OR DIVISION OF CAPITAL IN VIOLATION OF LAW.** Every director or any corporation issuing shares, except savings and loan or building and loan associations who concurs in any vote or act of the directors of the corporation or any of them, by which it is intended either:

1. To make any dividend except as permitted by the Utah Business Corporation Act; or
2. To divide, withdraw, or in any manner pay to the shareholders, or any of them, any part of the stated capital of the corporation except as permitted by the Utah Business Corporation Act is guilty of a class B misdemeanor.

**13-76-10-706. Reserved.**

**13-76-10-707. FALSE REPORTS.** Every director, officer, or agent of any corporation of joint stock association who knowingly makes or concurs in making or publishing any written report, exhibit, or statement of its affairs or pecuniary condition, containing any material statement which is false is guilty of a class B misdemeanor.

**13-76-10-708. REFUSING INSPECTION OF BOOKS.** Every officer or agent of any corporation having or keeping an office, who has in his custody or control the books of such corporation, and who refuses to give a bona fide shareholder of record or member of the corporation, lawfully demanding during office hours, the right to inspect or take a copy of it or of any part thereof, is guilty of a class B misdemeanor.

**13-76-10-709. PRESUMPTION OF DIRECTOR'S KNOWLEDGE OF AFFAIRS.** Every director of a corporation or joint stock association is deemed to possess a knowledge of the affairs of his corporation as to enable him to determine whether any act, proceeding, or omission of its directors is a violation of this part.

**13-76-10-710. PRESUMPTION OF DIRECTOR'S CONCURRENCE IN ACTION IF PRESENT AT MEETING - WRITTEN DISSENT REQUIRED.** Every director of a corporation or joint stock association who is present at a meeting of the directors at which any act, proceeding, or omission of the directors in violation of this part occurs is deemed to have concurred therein, unless he at the time causes, or in writing requires, his dissent therefrom to be entered in the minutes of the directors or forwards his dissent by registered mail to the secretary of the corporation immediately after the adjournment of the meeting.

**13-76-10-711. FOREIGN CORPORATIONS SUBJECT TO ORDINANCES.** It is no defense to a prosecution for any violation of any of the provisions of this part that the corporation was one created by the laws of another state, government, or country if it was one carrying on business or keeping an office therefor within this city.

**PART**

**13-76-10-800. NUISANCES.**

**13-76-10-801. "NUISANCE" DEFINED - VIOLATION - CLASSIFICATION OF OFFENSE.**

1. A nuisance is any item, thing, manner, condition whatsoever that is dangerous to human life or health or renders soil, air, water or food impure or unwholesome.
2. Any person, whether as owner, agent, or occupant who creates, aids in creating, or contributes to a nuisance, or who supports, continues or retains a nuisance, is guilty of a class B misdemeanor.

**13-76-10-802. BEFOULING WATERS.** A person is guilty of a class B misdemeanor if he:

1. Constructs or maintains a corral, sheep pen, goat pen, stable, pigpen, chicken coop, or other offensive yard or outhouse where the waste of drainage therefrom shall flow directly into the waters of any stream, well, or spring of water used for domestic purposes; or
2. Deposits, piles, unloads, or leaves any manure heap, offensive rubbish, or the carcass of any dead animal where the waste or drainage therefrom will flow directly into the waters of any stream, well, or spring of water used for domestic purposes; or
3. Dips or washes sheep in any stream, or constructs, maintains, or uses any pool or dipping vat for dipping or washing sheep in such close proximity to any stream located within this city or over which this city may exercise its jurisdiction and used by the inhabitants of this city for domestic purposes as to make the waters thereof impure or unwholesome; or
4. Constructs or maintains any corral, yard, or vat to be used for the purpose of shearing or dipping sheep within twelve miles of the city, where the refuse or filth from the corral or yard would naturally find its way into any stream of water used by the inhabitants of this city for domestic purposes; or
5. Establishes and maintains any corral, camp, or bedding place for the purpose of herding, holding, or keeping any cattle, horses, sheep, goats, or hogs, within seven miles of this city, where the refuse or filth from the corral, camp, or bedding place will naturally find its way into any stream of water used by the inhabitants of this city for domestic purposes.

**13-76-10-803. "PUBLIC NUISANCE" DEFINED.**

1. A public nuisance is a crime against the public order and economy of this city and consists in unlawfully doing any act or omitting to perform any duty, which act or omission, either:
  - a. Annoys, injures, or endangers the comfort, repose, health or safety of three or more persons; or
  - b. Offends public decency; or
  - c. Unlawfully interferes with, obstructs, or tends to obstruct, or renders dangerous for passage, any lake, stream, canal, or basin, or any public park, square, street, or highway; or
  - d. In any way renders three or more persons insecure in life or the use of property.
2. An act which affects three or more persons in any of the ways specified in this section is still a nuisance regardless of whether the extent of annoyance or damage inflicted on individuals is unequal.

**13-76-10-804. MAINTAINING, COMMITTING OR FAILING TO REMOVE PUBLIC NUISANCE - CLASSIFICATION OF OFFENSE.** Every person who maintains or commits any public nuisance, the punishment for which is not otherwise prescribed, or who willfully omits to perform any legal duty relating to the removal of a public nuisance, is guilty of a class B misdemeanor.