

1-4-1: SENTENCING:

A. Penalty For Violation Of Ordinance¹:

1. Criminal: The city council may impose a minimum criminal penalty for the violation of any municipal ordinance by a fine not to exceed the maximum class B misdemeanor fine under Utah Code Annotated section 76-3-301, or by a term of imprisonment up to six (6) months, or by both the fine and term of imprisonment.
2. Civil:
 - a. Except as provided in subsection A2b of this section, the city council may prescribe a minimum civil penalty for the violation of any municipal ordinance by a fine not to exceed the maximum class B misdemeanor fine under Utah Code Annotated section 76-3-301.
 - b. A municipality may not impose a civil penalty and adjudication for the violation of a municipal moving traffic ordinance, except as authorized in Utah Code Annotated section 10-3-703.5.

B. Term Of Imprisonment For Misdemeanors²: A person who has been convicted of a misdemeanor may be sentenced to imprisonment as follows:

1. In the case of a class B misdemeanor, for a term not exceeding six (6) months;
2. In the case of a class C misdemeanor, for a term not exceeding ninety (90) days.

C. Infractions³:

1. A person convicted of an infraction may not be imprisoned but may be subject to a fine, forfeiture and disqualification, or any combination.
2. Whenever a person is convicted of an infraction and no punishment is specified, the person may be fined as for a class C misdemeanor.

D. Fines Of Persons⁴: A person convicted of an offense may, in addition to any term of imprisonment imposed, be sentenced to pay a fine not to exceed:

1. Class B Misdemeanor: One thousand dollars (\$1,000.00) when the conviction is of a class B misdemeanor conviction; and

2. Class C Misdemeanor; Infraction: Seven hundred fifty dollars (\$750.00) when the conviction is of a class C misdemeanor conviction or infraction conviction.

E. Fines Of Corporations⁵: The sentence to pay a fine, when imposed upon a corporation, association, partnership or governmental instrumentality for an offense defined in this code, or the ordinances of the city, or for an offense defined outside of this code over which this city has jurisdiction, for which no special corporate fine is specified, shall be to pay an amount fixed by the court, not exceeding:

1. Class B Misdemeanor: Five thousand dollars (\$5,000.00) when the conviction is for a class B misdemeanor conviction; and
2. Class C Misdemeanor; Infraction: One thousand dollars (\$1,000.00) when the conviction is for a class C misdemeanor conviction or for an infraction conviction. (2003 Code)

Footnotes - Click any footnote link to go back to its reference.

[Footnote 1](#): UCA § 10-3-703.

[Footnote 2](#): UCA § 76-3-204.

[Footnote 3](#): UCA § 76-3-205.

[Footnote 4](#): UCA § 76-3-301.

[Footnote 5](#): UCA § 76-3-302.

[Footnote 6](#): UCA § 76-3-104.