

**CHAPTER 17. APWA MANUAL OF STANDARD SPECIFICATIONS AND MANUAL OF STANDARD PLANS ADOPTED**

**4-17-1. APWA Manual of Standard Specifications and Manual of Standard Plans Adopted.**

**4-17-2. Construction of Public Improvements.**

**4-17-3. Enforcement.**

**4-17-4. Civil Penalties.**

**4-17-5. Appeals.**

**4-17-1. APWA Manual of Standard Specifications and Manual of Standard Plans adopted.**

Tooele City recognizes that the Utah City Engineers Association endorses adoption of the American Public Works Association Manual of Standard Specifications and Manual of Standard Plans (hereinafter “APWA Standards”), as amended and/or revised. To the extent that Tooele City is not preempted by the law of the State of Utah from adopting the APWA Standards as an ordinance of Tooele City, its most current edition is so adopted. Additionally, Tooele City has adopted separate or amended standards and specifications for specific aspects of the APWA Standards. In those instances, the Tooele City adopted amendments shall govern. The APWA Standards and the Tooele City adopted amendments shall collectively constitute the “City Standards”.

Nothing in this ordinance shall preclude adoption and enforcement of policies that are consistent with the stated purposes of the APWA Standards. (Ord. 2015-07, 03-18-2015) (Ord. 2003-06, 02-05-03) (Ord. 1998-08, 03-04-1998) (Ord. 1995-11, 06-03-1995)

**4-17-2. Construction of Public Improvements.**

Public improvements shall be constructed to City Standards and the standards and specifications established in an Administrative Policy on Public Improvement Standards and Specifications. Where the Administrative Policy does not contain a particular standard or specification, or a standard or specification is unclear, the public improvements shall be constructed according to the APWA Standards. The Administrative Policy shall allow for variations to the established standards and specification to accommodate unusual or unforeseen circumstances. “Public improvements” shall have the meaning given in Section 7-1-5 of this Code, and shall be interpreted inclusively, not exclusively. (Ord. 2015-07, 03-18-2015)

**4-17-3. Enforcement.**

The City Standards shall be enforced by the Tooele City Engineer, or designee. When there are practical difficulties involved in carrying out the provisions of the City Standards, the City Engineer or designee may grant modifications for individual cases. The City Engineer or designee must first find that a special individual reason makes the strict letter of the City Standards impractical and that the modification is in conformance with the intent and purpose of the City Standards. The details of any action granting modifications shall be recorded in the files of the City Engineer.

(Ord. 2015-07, 03-18-2015) (Ord. 1998-08, 03-04-1998) (Ord. 1995-11, 06-03-1995)

**4-17-4. Civil Penalties.**

(1) Any violation of this Chapter shall be punishable by a civil penalty of \$100.

(2) In addition to the civil penalty, the violator shall be required to correct the violation at the violator’s cost.

(3) Each day of violation shall be a separate violation subject to an additional civil penalty. (Ord. 2020-12, 04-15-2020) (Ord. 2015-07, 03-18-2015) (Ord. 1998-08, 03-04-1998) (Ord. 1995-11, 06-03-1995)

**4-17-5. Appeals.**

A person subject to a civil penalty for violation of this Chapter may appeal the penalty within 10 calendar days as provided in Chapter 1-28 (Administrative Hearing Officer). (Ord. 2020-12, 04-15-2020)