

# **Bond Case Briefs**

*Municipal Finance Law Since 1971*

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## **MUNICIPAL ORDINANCE - UTAH**

### **Bivens v. Salt Lake City Corporation**

**Supreme Court of Utah - September 26, 2017 - P.3d - 2017 WL 4276112 - 848 Utah Adv. Rep. 50 - 2017 UT 67**

Recipients of parking tickets when city had installed pay machines, but when ordinance still defined parking infractions by reference to parking meters, brought putative class action against city alleging unjust enrichment and due process violations.

The Third District Court granted city's motion to dismiss. Recipients appealed.

The Supreme Court of Utah held that:

- Notice provisions in parking tickets did not deprive recipients of due process;
- Notice provisions in small claims information document did not deprive recipients of due process; and
- Recipients forfeited their claims of unjust enrichment and that attorney fees provision of city code violated their due process rights.