

17-23-1 County surveyor to be elected -- Requirement to be licensed land surveyor -- Authority to contract with licensed land surveyor if no elected county surveyor -- County surveyor duties.

- (1)
 - (a) The office of the county surveyor in each county shall be filled by election and, except as provided in Subsection (1)(b), the county surveyor shall be a licensed professional land surveyor in the state.
 - (b) In a county where the office of county surveyor is consolidated with another elected office, all county surveying work shall be performed by a licensed professional land surveyor.
 - (c) In a county where there is no elected county surveyor:
 - (i) the county executive or legislative body may, consistent with Section 17-53-313, contract with a licensed professional land surveyor to perform those duties;
 - (ii) all county survey work shall be done by a licensed land surveyor;
 - (iii) the county recorder shall assume and perform all statutory functions and duties of the county surveyor related to the retention and maintenance of survey records;
 - (iv) the recorder's office shall act as the county surveyor's office only for the purpose of accepting, retaining, and managing county survey records;
 - (v) the county shall furnish sufficient office space, furniture, stationery, and record books necessary for the county recorder's office to fulfill its functions and duties under Subsection (1)(c)(iv); and
 - (vi) for purposes of this chapter, "county surveyor" means:
 - (A) for purposes of the retention and management of county survey records, the county recorder; and
 - (B) except as provided in Subsection (1)(c)(vi)(A), the licensed land surveyor under contract with the county to perform county surveyor duties.
- (2) The county surveyor shall execute:
 - (a) all orders directed to the surveyor by any court; and
 - (b) all orders of survey required by the county executive or county legislative body.
- (3)
 - (a) The surveyor of each county shall:
 - (i) advise the county executive and county legislative body regarding all surveying work;
 - (ii) perform or arrange for the performance of all surveying work for the county;
 - (iii) permanently keep at county government offices at the county seat a fair and accurate record of all surveys made, including legal descriptions and geographic coordinates, all surveys received pursuant to Section 17-23-17, and all corner files received pursuant to Section 17-23-17.5;
 - (iv) number progressively all surveys received and state by whom and for whom the surveys were made;
 - (v) deliver a copy of any survey to any person or court requiring the survey after the payment of the fee established by the county legislative body;
 - (vi) ensure that all surveys of legal subdivisions of sections are made according to the United States Manual of Surveying Instructions in effect at the time the survey is completed;
 - (vii) verify the correctness of or establish correct coordinates for all survey reference monuments set in place and shown on all subdivision maps and plats which have a spatial relationship with any section or quarter section corner; and
 - (viii) perform other duties required by law.
 - (b) In arranging for the performance of surveying work for the county under Subsection (3)(a)(ii), a surveyor may comply with Section 17-53-313.

- (4)
- (a) The county surveyor or his designee shall establish all corners of government surveys and reestablish all corners of government surveys where corners have been destroyed and where witness markers or other evidences of the government corners remain so that the corners established by government survey can be positively located.
 - (b) The corners shall be reestablished in the manner provided in Section 17-23-13 for establishing corners.
 - (c) The county surveyor shall keep a separate record of the established and reestablished corners of government surveys, giving the date and names of persons present and shall provide those records to his successor when he vacates his office.
 - (d) Established or reestablished corners shall be recognized as the legal and permanent corners.
- (5) The county executive or legislative body may direct the county surveyor or his staff to perform engineering and architectural work if the county surveyor or his staff is qualified and licensed to perform that work.

Amended by Chapter 241, 2001 General Session