

Summary

Each county operates under one of the following forms of county government:

- County Commission
- Expanded County Commission
- Executive-Council
- Council-Manager

The default form of government is county commission unless a county adopts one of the other forms listed above.

What follows is a brief summary of the key features of each form of government and a list that identifies under which form of government each county in Utah operates.

County Powers

The way in which counties divide their legislative and administrative power is the key distinction between the various forms of government.

Legislative¹

The power to establish policy, enact laws, and appropriate funds is a legislative power.

Executive²

The powers to implement and administer the laws enacted by the legislative body and facilitate the administrative aspects of the county are executive. Executive duties do not include any duties expressly reserved for a county officer.

Other Elected Officers

Counties also have several elected positions that oversee various county functions.

Treasurer: receives, deposits, invests, and disburses county money; keeps a record of any receipts and expenditures of such money.

Sheriff: preserves the peace; makes arrests; attends court; serves process; oversees the county jail.

Clerk: records proceedings of the county legislative body; keeps all county books, records,

and accounts; authenticates and records county ordinances/laws.

Auditor: performs financial accounting and auditing of county funds.

Recorder: custodian of all recorded county documents and records.

Attorney/District Attorney: public prosecutor and civil counsel for the county.

Surveyor: performs or arranges all surveying work for the county; keeps accurate records of all surveys, including legal descriptions and geographic coordinates.

Assessor: assesses value of taxable property and collects taxes due on such property.

Forms of Government

County Commission³

A county under this form is governed by a three-member commission. The county commission has both legislative and executive powers.

Expanded County Commission⁴

A county under this form is governed by a council of five or seven members. The county commission has both legislative and executive powers.

Executive-Council⁵

A county under this form is governed by an elected county council and an elected county executive. The county council is the legislative body and the county executive has executive powers.

Council-Manager⁶

A county under this form is governed by an elected county council and a county manager who is appointed by the council. The county council is the legislative body and the county manager has executive powers, except that a county manager may not veto an ordinance enacted by the council.

“Optional Plan”: Changing to Another Form of Government

A county may change its form of government - referred to in Utah Code as adopting an “optional plan.”

For a county with a population of 500,000 or more that has a county commission, the process to adopt an optional plan includes:

- county legislative body or at least 5% of voters in the county file a petition proposing an optional plan;
- county or district attorney reviews the proposed optional plan;
- proposed optional plan is submitted to the voters; and
- election of new county officers follows if voters support the optional plan.

For all other counties, the process to adopt an optional plan includes:

- governing body adopts a resolution or at least 5% of voters in the county file a petition proposing an optional plan;
- election to determine whether to appoint a study committee to consider and possibly recommend a change in the form of government;
- if voters support a study committee, the study committee is appointed and shall:
 - compare the existing form of government with other available forms;
 - hold public hearings and community forums;
 - within one year from its first meeting, file a written report of its findings and recommendations with the county executive and legislative body; and
 - if the study committee recommends a change in the form of government, it may conduct additional public hearings;
- county or district attorney reviews the proposed optional plan recommended by the study committee;

- an election to determine whether to adopt the alternative form of government proposed in the optional plan:
 - in a county with a population of 225,000 or more, or a county in which voters approved appointment of the study committee by at least 60%, the county holds an election on the optional plan; or
 - in a county with a population of less than 225,000, or a county in which voters did not approve appointment of the study committee by at least 60%, an election on the optional plan is held only if:
 - the county legislative body adopts a resolution to submit the plan to voters; or
 - a valid petition is signed by at least 5% of voters requesting the optional plan be submitted for a vote; and
- election of new county officers follows if voters support the optional plan.

Resources

Utah Association of Counties:
<http://uacnet.org/>

National Association of Counties:
<http://www.naco.org/>

Endnotes

¹ Title 17, Chapter 53, Part 2, County Legislative Body

² Title 17, Chapter 53, Part 3, County Executive

³ Utah Code Section 17-52a-201

⁴ Utah Code Section 17-52a-202

⁵ Utah Code Section 17-52a-203

⁶ Utah Code Section 17-52a-204

Form of Government for Each County in Utah

County Commission (23)

Counties of the 2nd class:

Davis
Utah*
Washington
Weber†

Counties of the 3rd class:

Box Elder
Iron
Tooele‡
Uintah

Counties of the 4th class:

Carbon
Duchesne
Juab
Millard
San Juan
Sanpete
Sevier

Counties of the 5th class:

Beaver
Emery
Garfield
Kane

Counties of the 6th class:

Daggett
Piute
Rich
Wayne

Expanded County Commission (0)

Executive-Council (2)

Counties of the 1st class:

Salt Lake

Counties of the 2nd class:

Cache

Council-Manager (2)

Counties of the 3rd class:

Summit

Counties of the 4th class:

Wasatch

Non-compliant forms (2)

Counties of the 4th class:

Morgan¶

Counties of the 5th class:

Grand§

*Utah has a petition in process to change to the expanded county commission. The county commission has also adopted a resolution to place on the 2020 ballot a plan to change to the executive-council form.

†Weber has a 2019 ballot question proposing creating a study committee to change form.

‡Tooele transitions to council-manager in 2021.

¶Morgan has a 2019 ballot question proposing changing to the expanded county commission (five members).

§Grand has proposed an optional plan to change to the council-manager form and recommended including a question to change on the November 2019.