

NOTICE REQUIREMENTS FOR COUNTY ORDINANCES

1999 GENERAL SESSION

STATE OF UTAH

Sponsor: Ralph Becker

AN ACT RELATING TO COUNTIES; MODIFYING THE NOTICE REQUIREMENTS FOR A COUNTY ORDINANCE; AND MAKING TECHNICAL CHANGES.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

17-15-1, as last amended by Chapter 146, Laws of Utah 1994

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **17-15-1** is amended to read:

17-15-1. Ordinances -- Effective dates -- Publication -- Adoption of ordinances printed in book form.

(1) The enacting clause of all ordinances of the county legislative body shall be as follows:
"The County Legislative Body of the County of ____ ordains as follows:"

(2) Every ordinance shall be signed by the chairman of the county legislative body and attested by the clerk. On the passage of all ordinances the votes of the several members of the county legislative body shall be entered on the minutes, and all ordinances shall be entered at length in the ordinance book.

(3) (a) No ordinance passed by the county legislative body [~~shall~~] may take effect within less than [~~fifteen~~] 15 days after its passage[~~, and until the same shall have been published,~~].

(b) The legislative body of each county adopting an ordinance shall, before the ordinance may take effect:

(i) deposit a copy of the ordinance in the office of the county clerk; and

(ii) (A) publish a short summary of the ordinance, together with a statement that a complete copy of the ordinance is available at the county clerk's office and with the name of the members voting for and against [the same] the ordinance, for at least one publication in [~~some~~]:

(I) a newspaper published in and having general circulation in the county, if there is one[~~, and~~]; or

(II) if there is none published in the county [then posted at the courthouse door at least one week.], in a newspaper of general circulation within the county; or

(B) post a complete copy of the ordinance in nine public places within the county.

(4) Any ordinance printed by authority of the county legislative body in book form, or any general revision of county ordinances printed in book form, may be adopted by an ordinance making reference to such printed ordinance or revision if not less than three copies of such ordinance or revision are filed in the office of the county clerk at the time of adoption for use and examination by the public.

(5) Ordinances establishing rules and regulations for the construction of buildings, the installation of plumbing, the installation of electric wiring or other related or similar work, where such rules and regulations have been printed as a code in book form, may be adopted by reference to such codes if not less than three copies thereof are filed in the office of the county clerk at the time of the adoption of such ordinance for use and examination by the public.

(6) Ordinances [which] that in the opinion of the county legislative body are necessary for the immediate preservation of the peace, health, or safety of the county and the county's inhabitants [thereof] may, if so provided in the ordinance, take effect immediately upon publication in one issue of a newspaper published in and having general circulation in the county, if there is one, and if there is none published in the county, then immediately after posting at the courthouse door. [Ordinances, if so provided therein,]

(7) An ordinance may take effect at a later date than provided [herein] in this section, if the ordinance so provides.

(8) An order entered in the minutes of the county legislative body that an ordinance has been duly published or posted shall be prima facie proof of such publication or posting.