

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

COUNTY ORDINANCE AMENDMENTS

2006 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Larry B. Wiley

Senate Sponsor: Gene Davis

LONG TITLE

General Description:

This bill modifies provisions related to county ordinances.

Highlighted Provisions:

This bill:

- ▶ reduces from three to one the number of copies of an ordinance book or a general revision of county ordinances printed in book form that the county must file in the county clerk's office in order to adopt the ordinance or revision by making reference to the ordinance book or general revision; and

- ▶ reduces from three to one the number of copies of a book of building construction codes that a county must file in the county clerk's office in order to adopt an ordinance establishing rules and regulations for the construction of buildings and related matters by making reference to the code book.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

17-53-208, as renumbered and amended by Chapter 133, Laws of Utah 2000



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

29 Section 1. Section **17-53-208** is amended to read:

30 **17-53-208. Ordinances -- Effective dates -- Publication -- Adoption of ordinances**
 31 **printed in book form.**

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

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

38 (3) (a) No ordinance passed by the county legislative body may take effect within less
 39 than 15 days after its passage.

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

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

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

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

48 (II) if there is none published in the county, in a newspaper of general circulation
 49 within the county; or

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

51 (4) Any ordinance printed by authority of the county legislative body in book form ~~H→~~ **or**
 51a **electronic media ←H** , or
 52 any general revision of county ordinances printed in book form ~~H→~~ **or electronic media ←H** , may
 52a be adopted by an

53 ordinance making reference to [~~such~~] the printed ordinance or revision if [~~not less than three~~
 54 ~~copies of such~~] a copy of the ordinance or revision [~~are~~] is filed in the office of the county clerk
 55 at the time of adoption for use and examination by the public.

56 (5) Ordinances establishing rules and regulations, printed as a code in book form ~~H→~~ **or**
 56a **electronic media ←H** , for
 57 the construction of buildings, the installation of plumbing, the installation of electric wiring, or
 58 other related or similar work[~~, where such rules and regulations have been printed as a code in~~

59 ~~book form,]~~ may be adopted by reference to [~~such codes]~~ the code book if [~~not less than three~~
60 ~~copies thereof are]~~ a copy of the code book is filed in the office of the county clerk at the time
61 of the adoption of [~~such]~~ the ordinance for use and examination by the public.

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

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

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

Legislative Review Note

as of 7-22-05 7:50 AM

Based on a limited legal review, this legislation has not been determined to have a high probability of being held unconstitutional.

Office of Legislative Research and General Counsel

Fiscal Note
Bill Number HB0210

County Ordinance Amendments

16-Jan-06

8:22 AM

State Impact

No fiscal impact.

Individual and Business Impact

No fiscal impact.

Office of the Legislative Fiscal Analyst