

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;

- ▶ 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; and

- ▶ makes technical changes.

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

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

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

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

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

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

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

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

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

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

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

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

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

52 (4) Any ordinance printed by authority of the county legislative body in book form or
53 electronic media, or any general revision of county ordinances printed in book form or

54 electronic media, may be adopted by an ordinance making reference to [~~such~~] the printed

55 ordinance or revision if [~~not less than three copies of such~~] a copy of the ordinance or revision

56 [~~are~~] is filed in the office of the county clerk at the time of adoption for use and examination by
57 the public.

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

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

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

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