IRON COUNTY COMMISSION MEETING
June 25, 2012

Minutes of the Iron County Commission meeting convened at 9:00 a.m. June 25, 2012 in Commission Chambers at the Iron County Courthouse, Parowan, Utah.

Officers in attendance included:

Dale M. Brinkerhoff	Commission Chair
Alma L. Adams	Commissioner
Daniel L. Webster	Commissioner
Michael Edwards	Deputy County Attorney
Cynthia Robinson	Deputy County Clerk

Also Present:

Chad Nay	County Zoning Administrator
Neil Forsyth	County Road Supervisor
Steve Platt	County Engineer
Jaren Scott	County Landfill Supervisor
Joyce Evans	Fair Chairperson

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PLEDGE OF ALLEGIANCE :

Those assembled were led in the pledge of allegiance by Joyce Evans.

APPROVAL OF MINUTES June 11, 2012 :

Minutes of the Iron County Commission meeting held June 11, 2012 were approved as amended on a motion by Dan Webster. Second was by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

REPORTS :

Joyce Evans discussed fair issues including grand marshal candidates for the 2012 parade, demolition derby issues with inspections on participating vehicles. There have been some complaints that some participants are not complying with the rules. Joyce also requested and received approval for $300.00 from the Commission to help pay for a float in the parade.

Chad Nay reported that value of issued building permits is up over $900,000 over the same period last year. He also reported that zoning complaints are not being worked due to lack of manpower and the number of inspections being performed.

Building maintenance is a major concern. It is keeping one person busy full time to try to keep up with needs. The Visitor Center buildings will need to be re roofed next year. Each wind storm causes more damage and repairs.

Steve Platt reported that the Yankee Meadow road surfacing project is ready to go to bid in July and August. He also reported on other projects including bridge protection, box culvert on 4000 North Cedar Valley, and extending Coal Creek drainage past the waste water treatment plant.

Steve reported on work at the iron mines. The mine has a problem with their wells going dry. There is talk in connecting with Central Iron County Water Conservancy District to supply water. They will be required to run a water line from Monte Vista 2 to the mine along the desert mound road.

Neil Forsyth reported that fuel price is still a concern with budget. The Yankee Meadow road project took longer than expected and that has put other projects behind. He also discussed other projects being worked. Webster Flat road project still on hold because of work on SR 14. Neil explained that because of the dry conditions mowing of roads is on hold until rain lessens the fire danger.

Jaren Scott discussed the landfill fire which has apparently been burning for several years in the construction waste pit. The problem is that the material is so hot when it is exposed to air it explodes into flame. He explained resources being expended in fighting this fire. It is expected to be at least another month to get the fire completely out.

Jaren discussed collection rates and landfill rates per household and per ton disposal rates. He suggested that the County consider a rate change for landfill services.

Jaren also requested permission to take his vehicle home due to the frequent call outs for emergencies and other calls during off hours. Calls are averaging up to twenty per month. The Commission approve the Landfill Supervisor to take his vehicle home due to frequent call outs.

Alma Adams reported on negotiations with the State of Utah and the Bureau of Land Management on the disposition of RS 2477 road issues in Iron County. Negotiations are continuing and all sides seem to be working together to bring a quick solution to this issue without costly litigation. The BLM is pushing the County to acquire Title V which is not acceptable to Iron County.

PUBLIC HEARING PROPOSED ZONE CHANGE FROM A-20 TO I-A :

Alma Adams made a motion to open a public hearing to receive comments on a proposed zone change submitted by Holt Dairy and Escalante Valley Farms. Second by Dan Webster. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

Chad Nay reviewed the request to change the zoning of property is located in portion of E–1399-1430-0001, Property Account #0192408, the South ½ of the Southeast Quarter of Section 12, Township 36 South, Range 16 West, SLB&M from A-20 Agricultural, to I-A

Industrial Agriculture. The proposed change covers 80 acres. The proposed change will be to expand their current operation to add dry cow and baby calf nursery operations in conjunction with their current dairy operation. The Planning Commission recommended that the proposed change be approved.

After all public comments were received Alma Adams made a motion to close the public hearing and to approve the requested zone change from A-20 to I-A on 80 acres located on serial number E–1399-1430-0001, Property Account #0192408, the South ½ of the Southeast Quarter of Section 12, Township 36 South, Range 16 West, SLB&M . Second by Dan Webster. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

PUBLIC HEARING ORDINANCE 2012-2 :

Alma Adams made a motion to open a public hearing to receive comments on a proposed ordinance 2012-2 amending the county code various chapters and paragraphs eliminating the Board of Adjustments and replacing the Board of Adjustments with an Appeal Hearing Officer. Second by Dan Webster. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

Chad Nay presented the proposed amendment to Iron County Code as recommended by the Planning Commission.

Reed Erickson explained that the ordinance would eliminate the Board of Adjustments and establishes an appeal hearing officer, selected by the Commission. It amends twelve different sections of the County Code. The hearing officer would have administrative authority, not legislative authority. Appeals would have findings and would be more professional in preparing for a case that could be appealed to the District Court.

Alma Adams commented on page 6 Section I requested that the wording be amended to allow the Commission to remove the appeal hearing officer for any reason, not just for cause.

After all public comments were received Alma Adams made a motion to close the public hearing and to adopt Ordinance 1012-2 with an amendment to page 6, section 7, I Removal to read that contract hearing officer may be removed without cause by the Commission. Second by Dan Webster. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

CONDITIONAL USE PERMIT NOTIFICATION FOR A GUEST HOUSE :

Chad Nay gave notice to the Commission of a proposed conditional use permit for property located at 4405 North Driftwood Lane, Cedar City, within Section 14, Township 35 South, Range 11 West, Account #134954, Assessor Parcel Number D-0570-0002-0001. Mark Stewart White is requesting approval to construct a guest home.

PREDATOR CONTROL CONTRACT WITH UTAH STATE :

Gene Adams and Alma Adams explained an amendment to the Utah Department of Agriculture and Food contract #011359, amendment #12, regarding management work plan for predator control and funding. The County will pay $23,000.00 to the State and the County will be reimbursed $11,500.00 to be used in ariel control of predator.

Alma Adams made a motion to approve the predator control contract amendment # 12 and authorize payment of the invoice. Second by Dan Webster. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

UTAH ASSOCIATION OF COUNTIES DEBT COLLECTION SERVICES :

Cindy Robinson explained that an e mail has been received from UAC offering debt collection services. There are some County Departments that could benefit from using this service to collect unpaid bills. The Commission recommended that the e mail be distributed by the Clerk's office and the item discussed at the next Commission meeting when all elected officials will be meeting with the Commission.

EXTENSION ON PRAIRIE DOG TAKE :

Dan Webster made a motion to approve extended permanent take previously granted on Lot 7 Equestrian Pointe Phase 5 requested by Brett Taylor for Rich and Monica Wood. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

BOARD OF EQUALIZATION :

Alma Adams made a motion to convene as Board of Equalization to consider BOE matters. Second by Dan Webster. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

William Johnson's son representing William Johnson, deceased explained request to Rollback Tax Appeal for Property Owned by William C. Johnson. Property Account #0358132, Parcel Number C-0738-0001-0000, Beg at Pt 9*42'53"E Alg Sec Ln 644.59 Ft Fr Sw Cor Sec 33, T 33s, R9W, SLM; N00*17'28"W 1332.58 Ft to S Ln of Fleming Prop; N89*54'46"e Alg S Ln of Fleming Prop 661.32 Ft; S00*17'05"e 1330.30 Ft to S Ln of Sd Sec 33; S89*42'53"w Alg Sec Ln 661.16 Ft to POB; Subj to & Tog W/ 20 Ft Util Ease Alg Each Prop Ln; Excpt Therefr 1.369 Ac Alg E 33 Ft & S 25 Ft of Sd Parcel for Rdways.

Roccie Palmisano testified that as a neighbor the property has had animals and has been planted into some vegetable crops until his health failed.

Cindy Bulloch reviewed requirements for green belt that the property must be used for commercial agricultural gain. Gardens and pet animals do not qualify as agricultural use. The whole parcel must be used for agriculture to qualify.

Mark from Utah State Tax Commission explained that there is currently no agricultural use on this parcel and it appears that it has not been in production for several years.

Alma Adams made a motion to apply roll back for previous five years and abate the three years the property was in compliance with green belt requirements. Second by Dan Webster. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

A request to approve the exempt status of a new vehicle purchased by Christ the King Catholic Church was presented by Christene Lowder. Alma Adams made a motion to close the BOE hearing and approve the tax exempt status for a new vehicle purchased by Christ the King Catholic Church. Second by Dan Webster. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

RAP TRAINING :

Christene presented RAP training on sexual harassment. Everyone has the right to be judged and rewarded for their work based on their accomplishments and abilities, and work in an environment free of intimidating, hostile or offensive comments or gestures of a sexual nature.

Sexual harassment is unwanted sexual attention that harms the victim and often the general morale of the county. Sexual harassment is usually intended to make a person feel uncomfortable or to embarrass that person. Unfortunately, sexual harassment is a common occurrence, and claims are on the rise. The cost of sexual harassment cuts across all aspects of the organization, from employee retention to expensive litigation.

She also presented training on behavior based safety. As supervisors and employees we have become too complacent when it comes to safety. Supervisors and managers are generally satisfied with mediocre safety performance and do little to improve safety. Employees are content and are not attentive to safety because they don't have to be; there have been few consequences. The general belief is that "it won't happen here" or "it won't happen to me".

The only time management or employees demonstrate any interest in safety is after a significant loss and even then, safety is merely given lip service for a brief period. Well, guess what, we must change our attitude and our behavior. "It will happen here and it will happen to you".

PERSONNEL MATTERS :

Christene Lowder presented the following on call Kylie Price, Scott Jensen, Jared Gardner and Christina Brinkerhoff as EMT-Basic. Dan Webster made a motion to approve the hiring of the listed on call EMT-Basic employees. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

Margaret Miller, Justice Court Judge, and Christene explained that one part time clerk at the Justice Court has resigned leaving a vacancy for a part time 32 hour per week. Justification of the position was reviewed and approved on a motion by Dan Webster. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

Christene presented the name of Leslie Bishop to fill the Human Resource Director position effective July 9, 2012. The position was vacated by the resignation of Colette Eppley and interim director Vicki Nielsen. Dan Webster made a motion to approve the hiring of Leslie Bishop at a salary of $48,0640 and to extend interim benefits to Christene Lowder through July to compensate for her service as temporary HR Director.

Christene presented salary discrepancy/justification to adjust wages on employees who were either overlooked in 2006 or did not receive correct grade in 2007. John Englestead received a 4% salary increase in 2008 in error. It is proposed to reduce his current salary by 4% to correct the error. Over pay for the period is about $0.60 per hour since 2008 which at straight time is $5,864. Where the employee was unaware of the error due to his military leave and where the error occurred in one pay period.

Debbie Johnson pointed out that Adelle Lloyd had a similar error and she was required to pay back to the County the over payment over a one year period.

Alma Adams made a motion to adjust the salary of John Englestead to the correct rate from $17.14 per hour to $16.48 per hour and to table the issue of how to correct the over payment from 2008 due to the payroll error. Second by Dan Webster. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

Christene also presented errors from 2007 step and grade increases on anniversary date when anniversary dates were changed to January 1 dates.

Carrie Christiansen and Michelle Madsen were hired full time in the interim period and therefore did not receive their merit increase for two years and one and one half years respectfully. Carrie and Michelle should have received a pro rated increase for the interim time when they went from . Michelle Madsen should receive an adjustment to her pay for the period June 8, 2006 through June 9, 2012 with a total adjustment of $4,525.62 and Carrie Christensen adjusted from November 22, 2005 through June 9, 2012 with a total adjustment of $6,426.42.

Alma Adams made a motion to approve adjusting the errors and to change their grade to it's correct level for Carrie $15.218 to $15.674 and Michelle from $12.32 to $12.69 and to pay Michelle $4,525.62 in a lump sum and Carrie $6,426.42 in a lump sum to correct the underpayment errors in salary. Second by Dan Webster. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

Christene presented for approval of new Utah Retirement System contribution rates for fiscal year 2012-2013. Dan Webster made a motion to approve the new rates as presented effective July 1, 2012. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

TAX SALE RESULT APPROVAL :

Christene Lowder reviewed findings on four (4) properties which were not approved from the May 24, 2012 tax sale due to a possible conflict of interest. The increase is from 11% to 13% for the next year. After review she recommended that the sale be approved for this year and to amend the ordinance to prohibit such bidding in the future.

Alma Adams made a motion to approve the results of the annual tax sale as presented. Second by Dan Webster. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

UTAH DEPARTMENT OF NATURAL RESOURCES LAND PURCHASE :

Utah Department of Natural Resources is requesting approval for purchase of property located at 650 N Main, Cedar City in accordance with state law that requires agencies to solicit the support of the local county and member of the legislature presented by Darin Bird and Robyn Pearson, Deputy Directors of DNR.

Dan Webster made a motion to approve the purchase of the Crawford Motor property at 650 N Main Street, Cedar City for future expansion of the Department of Wildlife Resources. Second by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

ADJOURN :

The meeting was adjourned at 12:20 p.m. on a motion by Dan Webster. Second was by Alma Adams. Voting: Dale Brinkerhoff, Aye; Alma Adams, Aye; Dan Webster, Aye.

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Signed: Dale M. Brinkerhoff, Chairman

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Attest: David I. Yardley

County Clerk

Iron County Ordinance No. 2012 -2

An ordinance amending various sections of Chapters 8.20 (Nuisances), 15.12 (Flood Damage Prevention), 17.02 (Applicability), 17.04 (Rules for Interpretation of Zoning District Boundaries), 17.08 (Board of Adjustment), 17.12 (Amendments to Iron County General Plan), 17.32 (Scope of Development Approvals), 17.44 (Appeals of the Zoning Administrator Decision for Change in a Permitted Use), 17.64 (Variances), 17.68 (Expansion of a Nonconforming Use), 17.72 (Enforcement), 17.76 (Appeals), of the Iron County Code to eliminate the Iron County Board of Adjustment and to establish an Appeals Hearing Officer as a land use appeal authority; providing for an effective date; and repealing all ordinances in conflict therewith.

WHEREAS, the Iron County Planning Commission ("Planning Commission") held a public hearing on June 7, 2012 to consider amending the text of Chapters 8.20, 15.12, 17.02, 17.04, 17.08, 17.12, 17.32, 17.44, 17.64, 17.68, 17.72, and 17.76 of the *Iron County Code* eliminating theBoard of Adjustment; and

WHEREAS, at its June 7, 2011 hearing, a majority of members of the Planning Commission voted in favor of recommending this ordinance to the County Commission for consideration; and

WHEREAS, after a public hearing on this matter the County Commission has determined that adopting this ordinance is in Iron County's best interest.

NOW THEREFORE, THE COUNTY LEGISLATIVE BODY OF IRON COUNTY, UTAH ORDAINS AS FOLLOWS:

SECTION 1. Within Chapter 8.20 – NUISANCES, the definition of "Hearing Officer" in **Section 8.20.010 – Definitions**, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows *(all other definitions in this section remain un-amended)*:

> "Hearing Officer" means the person(s) designated to hear appeals pursuant to this chapter. The hearing officer shall be the designee named by the County Commission. The designee need not be a county employee. The County Commission may also appoint a committee to function as the Hearing Officer.

SECTION 2. Within Chapter 8.20 – NUISANCES, Section 8.20.200 H – Appeals, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

> H. Decisions of Enforcement Officer Administrative in Nature. Other than the issuance of criminal citations and the initiation of criminal actions, decisions of the enforcement officer in applying this chapter and Chapter 17.72 by enforcing county zoning and nuisance ordinances are administrative in nature. Final administrative decisions of the enforcement officer may be appealed to the county Appeals Hearing Officer in accordance with Chapter 17.76.

SECTION 3. Within Chapter 15.12 – FLOOD DAMAGE PREVENTION, Section 15.12.140 - Appeals and variances –Board of Adjustment, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

15.12.140 - Appeals and variances—Appeals Hearing Officer.

A. The Appeals Hearing Officer, as established by Iron County, shall hear and decide appeals and request for variances from the requirements of this chapter.

B. The Appeals Hearing Officer shall hear and decide appeals when it is alleged there is an error in any requirement, decision or determination made by the commission chairman in the enforcement or administration of this chapter.

C. Those aggrieved by the decision of the Appeals Hearing Officer, or any taxpayer, may appeal such decisions to the Fifth Judicial District Court in and for Iron County, State of Utah, as provided in Utah Code Annotated.

D. In passing upon such applications, the Appeals Hearing Officer shall consider all technical evaluations, all relevant factors, standards specified in other sections of this chapter, and:

1. The danger that materials may be swept onto other lands to the injury of others;
2. The danger to life and property due to flooding or erosion damage;
3. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owners;
4. The importance of the services provided by the proposed facility to the community;
5. The necessity to the facility of a waterfront location, where applicable;
6. The availability of alternative locations for the proposed use which are not subject to flooding or erosion damage;
7. The compatibility of the proposed use with the existing and anticipated development;
8. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area;
9. The safety of access to the property in times of flood for ordinary and emergency vehicles;
10. The expected heights, velocity, duration, rate of rise and sediment transport of the flood waters and the effects of wave action, if applicable, expected at the site; and
11. The costs of providing governmental service during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical and water systems, streets and bridges.

E. Upon consideration of the factors of subsection D of this section and the purposes of this chapter, the Appeals Hearing Officer may attach such conditions to the granting of variances as it deems necessary to further the purposes of this chapter.

F. The Iron County clerk shall maintain the records of all appeal actions, including technical information, and report any variances to the Federal Emergency Management Agency.

SECTION 4. Within Chapter 17.02 - TITLE, PURPOSE, DECLARATION OF INTENT AND EFFECTIVE DATE, Section 17.02.040 E – Applicability, of the Iron County Code, shall be, and hereby are, identified and amended to read as follows:

E. The provisions of this title shall be held to be the minimum requirements necessary to protect the public health, safety and welfare of the citizens of Iron County. Additional requirements may be imposed by the Zoning Administrator, Appeals Hearing Officer, Planning Commission or County Commission to more fully ensure the goals and policies of the Iron County general plan are achieved, the public health, safety and welfare of the residents of the county protected, and the purposes of the Iron County land management code are achieved.

SECTION 5. Within Chapter 17.04 – INTERPRETATION OF REQUIREMENTS AND PROVISIONS, Section 17.04.020 - Rules for interpretation of zoning district boundaries, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

17.04.020 - Rules for interpretation of zoning district boundaries.
In the event of the need to resolve a dispute pertaining to the boundary or location of a zoning district, the Appeals Hearing Officer shall have the authority and jurisdiction to render a written determination of the applicable boundary for a zoning district. The Appeals Hearing Officer shall take into consideration the following criteria in rendering such determination:

(sub-sections A, B, C, & D remain unchanged)

SECTION 6. Within Chapter 17.08 – ADMINISTRATION, Section 17.08.020 G & H - Board of County Commissioners, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

The Iron County Board of County Commissioners ("County Commission") shall have the following powers and duties: …

G. To take such other action not expressly delegated to the Zoning Administrator, Planning Commission or the Appeals Hearing Officer that may be desirable and necessary to implement the provisions of the Iron County General Plan and the Iron County Land Management Code.

SECTION 7. Within Chapter 17.08 – ADMINISTRATION, Section 17.08.040 - Board of Adjustment, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

17.08.040 -Appeals Hearing Officer.
A. Creation.
The position of Appeals Hearing Officer is created pursuant to the enabling authority granted by the County Land Use, Development, and Management Act, Section 17-27a-701 of the Utah Code Annotated.

B. Jurisdiction and Authority.
The Appeals Hearing Officer shall have the following powers and duties in connection with the implementation of this title:

1. Hear and decide appeals from any administrative decision made by the Zoning Administrator in the administration or the enforcement of this title pursuant to the procedures and standards set forth in Chapter 17.76, "Appeals", of this title;
2. Authorize variances from the terms of this title pursuant to the procedures and standards set forth in Chapter 17.64, "Variances", of this title;
3. Hear and decide appeals from decisions made by the Planning Commission regarding conditional uses;
4. Hear and decide interpretations of a zoning district boundary line as provided in Section 17.04.020;
5. Hear and decide requests for the issuance of a building permit authorizing the reconstruction, remodeling, expansion or enlargement of a nonconforming building or structure;
6. Hear and decide appeals and request for variances from the requirements of chapter 15.12.140 – Flood Damage Prevention; and,
7. Any and all other duties specifically identified in the Iron County Code to be the responsibility of the Appeals Hearing Officer.

C. Routine and Uncontested Matters.
The Appeals Hearing Officer may determine those matters it considers as routine and uncontested to be heard and decided by the Zoning Administrator as authorized by Section 17.64.080.

D. Recommendations.
The Appeals Hearing Officer may recommend to the County Commission and/or Planning Commission revisions to the Iron County general plan and the Iron County land management code.

E. Conflict of Interest.
The Appeals Hearing Officer shall not participate in any appeal in which the Hearing Officer has a conflict of interest prohibited by law.

F. Limitation of Powers.
The Appeals Hearing Officer shall not have power, jurisdiction or authority to consider any of the following:
1. Variances to any of the standards governing approval of subdivisions, site plans, or conditional use permits; or
2. Amendments to the general plan and any element or map thereof or any provision, requirement or map of the Iron County land management code, including this title.

G. Qualifications: The Appeals Hearing Officer shall be appointed by the County Commission. The commission may appoint more than one (1) Appeals Hearing Officer, but only one Hearing Officer shall consider and decide upon any matter properly presented for Hearing Officer review. The Appeals Hearing Officer shall serve at the discretion of the County Commission. The Appeals Hearing Officer shall either be law trained or have significant experience with land use laws and the requirements and operations of administrative hearing processes.

H. Compensation.
The Appeals Hearing Officer may be compensated on a contract basis, based upon meetings actually attended, work done, and reasonable and necessary expenses, as determined by the County Commission.

I. Removal.
The County Commission, at their discretion, may remove the appeals hearing officer with or without receipt of a written complaint filed against the appeals hearing officer. The county commission may provide the appeals hearing officer with a hearing, if requested.

J. Recording Secretary.
The County Commission shall appoint a Recording Secretary to serve the Appeals Hearing Officer. The Recording Secretary shall keep the minutes of all proceedings of the Appeals Hearing Officer, which minutes shall be the official record of all proceedings before the Appeals Hearing Officer,. The Recording Secretary shall maintain all records of Appeals Hearing Officer meetings, hearings and proceedings and handle the correspondence of the Appeals Hearing Officer.

K. Meetings and Hearings.
Meetings and hearings of the Appeals Hearing Officer shall be held as required.

L. Appeals Procedure.
Appeals of administrative decisions to the Appeals Hearing Officer shall be taken in accordance with the following procedures:

1. Filing of Appeal: An appeal shall be made in writing within ten (10) days of the administrative decision and shall be filed with the Zoning Administrator. The appeal shall specify the decision appealed, the alleged error made in connection with the decision being appealed, and the reasons the appellant claims the decision to be in error, including every theory of relief that can be presented in district court.
2. Fees: Nonrefundable application and hearing fees shown on the Iron County consolidated fee schedule shall accompany the appeal.
3. Stay of Proceedings: An appeal to the Appeals Hearing Officer shall stay all further proceedings concerning the matter about which the appealed order, requirement, decision, determination, or interpretation was made unless the Zoning Administrator certifies in writing to the Appeals Hearing Officer, after the appeal has been filed, that a stay would, in the Zoning Administrator's opinion, be against the best interest of the county.
4. Notice and Hearing: Upon receipt of an appeal, the Appeals Hearing Officer shall give notice and hold a hearing on the appeal. Notice shall be given as follows:

a. Providing all of the information necessary for notice of an appeal hearing required under this chapter shall be the responsibility of the appellant and shall be in the form established by the Appeals Hearing Officer pursuant to the standards of this subsection.

b. Notice by first class mail shall be provided:

i. A minimum of twelve (12) calendar days in advance of the hearing;
ii. To all owners and tenants of the land subject to the appeal as shown on Iron County geographic information system records; and
iii. Within three hundred feet (300') from the periphery of the land subject to the appeal, inclusive of streets and rights-of-way.
iv. Mailing labels shall be generated by the city when an appeal is filed using Iron County geographic information system records.

c. The County shall give email notification, or other form of notification chosen by the Appeals Hearing Officer, a minimum of twelve (12)

calendar days in advance of the hearing to any organization entitled to receive notice pursuant to Chapter 17.08 of this code.

d. The notice for any hearing shall generally describe the subject matter of the appeal; the date, time and place of the appeal hearing; and the place where the record of the appeal may be inspected by the public.

e. At least twelve (12) calendar days in advance of the appeal hearing the County shall publish a notice of such hearing in a newspaper of general circulation in Iron County.

f. A hearing pertaining to an appeal from a decision of the Planning Commission shall be limited to the appellant and the respondent who may present legal argument based on evidence in the record.

5. Standard of Review:

a. The standard of review for an appeal, other than as provided in Subsection b of this Subsection 5, shall be de novo. The Appeals Hearing Officer shall review the matter appealed anew, based upon applicable procedures and standards for approval, and shall give no deference to the decision below.

b. An appeal from a decision of the Planning Commission shall be based on the record made below.

i. No new evidence shall be heard by the Appeals Hearing Officer unless such evidence was improperly excluded from consideration below.

ii. The Appeals Hearing Officer shall review the decision based upon applicable standards and shall determine its correctness.

iii. The Appeals Hearing Officer shall uphold the decision unless it is not supported by substantial evidence in the record or it violates a law, statute, or ordinance in effect when the decision was made.

6. Burden of Proof: The appellant has the burden of proving the decision appealed is incorrect.

7. Action by the Appeals Hearing Officer: The Appeals Hearing Officer shall render a written decision on the appeal. Such decision may reverse or affirm, wholly or in part, or may modify the administrative decision. A decision by the Appeals Hearing Officer shall become effective on the date the decision is rendered.

8. Notification of Decision: Notification of the decision of the Appeals Hearing Officer shall be sent by mail to all parties to the appeal within ten (10) days of the Appeals Hearing Officer's decision.

9. Record of Proceedings: The proceedings of each appeal hearing shall be recorded on audio equipment. The audio recording of each appeal hearing shall be kept for a minimum of sixty (60) days. Upon the written request of any interested person, such audio recording shall be kept for a reasonable period of time beyond the sixty (60) day period, as determined by the Appeals Hearing Officer. Copies of the tapes of such hearings may be provided, if requested, at the expense of the requesting party. The Appeals Hearing Officer may have the appeal proceedings contemporaneously transcribed by a court reporter.

M. Appeals.

Any person adversely affected by a final decision made by the Appeals Hearing Officer may file a petition for review of the decision with the District Court within thirty (30) days after the decision is rendered.

N. Stay of Decision.

The Appeals Hearing Officer may stay the issuance of any permits, approval, or order

based on its decision for thirty (30) days or until the decision of the District Court in any appeal of the decision.

SECTION 8. Within Chapter 17.08 – ADMINISTRATION, Section 17.08.060 – Staff Support, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

17.08.060 - Staff support.
The staff of the Iron County department of planning and building shall perform the planning functions of the county and shall provide support on all amendments to the general plan and the land management code and all applications for development approval, permits, licenses and appeals and shall perform all such other functions as may be requested by the County Commission, the Planning Commission and Appeals Hearing Officer, as authorized. Other county offices and staff shall provide additional support and assistance to the board of County Commissioners, Planning Commission and Appeals Hearing Officer, as required.

SECTION 9. Within Chapter 17.08 – ADMINISTRATION, Section 17.08.070 - Meetings and public hearings, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

17.08.070 - Meetings and public hearings.
All meetings and hearings of the County Commission, Planning Commission and Appeals Hearing Officer shall comply with the provisions of this title and the Utah Code. At least fourteen day notice shall be provided for all public hearings required by this title. The applicant shall be required to pay the cost for the county to provide the required notice to all property owners and public entities.

SECTION 10. Within Chapter 17.12 - AMENDMENTS TO THE COUNTY GENERAL PLAN, ZONING ORDINANCE AND LAND MANAGEMENT CODE,

Section 17.12.010 A (Amendments to Iron County general plan—General procedures), of the Iron County Code, shall be, and hereby are, identified and amended to read as follows:

A. A proposed amendment to the Iron County general plan may be initiated by any property owner, any person residing in the county, any business owner, the County Commission, Planning Commission, Appeals Hearing Officer or the county staff by filing an application for a general plan amendment.

SECTION 11. Within Chapter 17.32 – DEVELOPMENT APPLICATIONS AND PROCEDURES, Section 17.32.030 I (Application forms), of the Iron County Code, shall be, and hereby are, identified and amended to read as follows:

I. Application to the Appeals Hearing Officer;

SECTION 12. Within Chapter 17.32 – DEVELOPMENT APPLICATIONS AND PROCEDURES, Section 17.32.060 - Development application—Initiation, of the Iron County Code shall be, and hereby are, identified and amended to read as follows:

An application for a required development approval, permit or license shall be initiated by submitting the appropriate application(s) to the county. All applications are to be processed in accordance with the provisions of this title. All applications including:

application for general plan amendment, including text and map amendments; application for land management code amendment; application for preliminary and final site plan approval; application for preliminary and final subdivision plat approval; application for conditional use permit approval; application to the Appeals Hearing Officer; and application for appeal shall be presented to the county at least thirty days prior to consideration by the Board of County Commissioners, Planning Commission or Appeals Hearing Officer, whichever is applicable.

SECTION 13. Within Chapter 17.32 – DEVELOPMENT APPLICATIONS AND PROCEDURES, Section 17.32.070 - Determination of application completeness, of the Iron County Code, shall be, and hereby are, identified and amended to read as follows:

17.32.070 - Determination of application completeness.
After the receipt of an application, the Zoning Administrator shall determine whether the application is complete. If the Zoning Administrator determines that the application is incomplete, the Zoning Administrator shall notify the applicant in writing, identifying the deficiencies of the application, including any additional information which must be provided and advising the applicant that no action will be taken by the county until the deficiencies have been corrected. Determinations of completeness made by the Zoning Administrator shall be reviewed by the Appeals Hearing Officer if the applicant considers the determination to be in error.

SECTION 14. Within Chapter 17.32 – DEVELOPMENT APPLICATIONS AND PROCEDURES, Section 17.32.100 A (Scope of development approvals), of the Iron County Code, shall be, and hereby are, identified and amended to read as follows:

A. Except as otherwise provided, the rights conferred by a development permit upon the filing of a complete application and approval by the County Commission, Planning Commission, Appeals Hearing Officer or Zoning Administrator shall be limited to those rights granted in the applicable provisions of this title and the land management code and any conditions attached to the development permit.

SECTION 15. Within Chapter 17.32 – DEVELOPMENT APPLICATIONS AND PROCEDURES, Section 17.32.130 – Inspections, of the Iron County Code, shall be, and hereby are, identified and amended to read as follows:

17.32.130 - Inspections.
In order to review information relevant to an application, permit or license, the Zoning Administrator, Planning Commission, Appeals Hearing Officer or County Commission may, at any reasonable time and for any proper purpose, and upon the permission of the owner, enter upon any public or private premises and make an inspection thereof.

SECTION 16. Within Chapter 17.44 – REVISIONS TO APPROVED DEVELOPMENT PERMITS AND CONSTRUCTION PLANS AND PERMITS FOR A CHANGE IN A PERMITTED USE, Section 17.44.030 - Appeal of Zoning Administrator decision for minor revisions, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

17.44.030 - Appeal of Zoning Administrator decision for minor revisions.
Any person aggrieved by a decision of the Zoning Administrator concerning a decision for a minor revision may file an appeal of the Zoning Administrator's

decision with the Appeals Hearing Officer, with a minimum of seven days notification provided by the Zoning Administrator to members of the Planning Commission and County Commission. The Zoning Administrator shall forward all materials and records on the matter to the Appeals Hearing Officer.

SECTION 17. Within Chapter 17.44 – REVISIONS TO APPROVED DEVELOPMENT PERMITS AND CONSTRUCTION PLANS AND PERMITS FOR A CHANGE IN A PERMITTED USE, Section 17.44.060 - Appeal of the Zoning Administrator's decision for change in a permitted use, of the Iron County Code, shall be and hereby is, identified and amended to read as follows:

17.44.060 - Appeal of the Zoning Administrator's decision for change in a permitted use.

Any person aggrieved by a decision of the Zoning Administrator in the review and approval of a request for a change in permitted use may file an appeal of the Zoning Administrator's decision with the Appeals Hearing Officer with at least seven days notification provided by the Zoning Administrator to members of the Planning Commission and County Commission prior to BOA consideration. The Zoning Administrator shall forward all materials and records on the matter to the Appeals Hearing Officer.

SECTION 18. Within Chapter 17.44 – REVISIONS TO APPROVED DEVELOPMENT PERMITS AND CONSTRUCTION PLANS AND PERMITS FOR A CHANGE IN A PERMITTED USE, Section 17.44.070 – Standards for use interpretations, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

17.44.070 – Standards for use interpretations.

The following standards shall govern the Zoning Administrator, and the Appeals Hearing Officer on appeals from the Zoning Administrator, in issuing use interpretations:

A. Any use defined in Chapters 17.16 and 17.20 of this title, shall be interpreted as defined;

B. Any use specifically listed without a "P" or "C" designated in the table of permitted and conditional uses for a district shall not be allowed in that zoning district;

C. No use interpretation shall allow a proposed use in a district unless evidence is presented demonstrating that the proposed use will comply with the development standards established for that particular district;

D. No use interpretation shall allow any use in a particular district unless such use is substantially similar to the uses allowed in that district and is more similar to such uses than to uses allowed in a less restrictive district;

E. If the proposed use is most similar to a conditional use authorized in the district in which it is proposed to be located, any use interpretation allowing such use shall require that it may be approved only as a conditional use pursuant to Chapter 17.28 of this title; and

F. No use interpretation shall permit the establishment of any use that would be inconsistent with the statement of purpose of that zoning district.

SECTION 19. Within, Chapter 17.64 – VARIANCES, Section 17.64.010 - General, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

17.64.010 - General.

Where the Appeals Hearing Officer finds that an unreasonable hardship may result from strict compliance with the provisions of this title, the Appeals Hearing Officer may approve variances to the requirements of this title so that substantial justice may be done and the public interest secured, provided that the variance shall not have the effect of nullifying in any way the intent and purpose of this title.

SECTION 20. Within, Chapter 17.64 – VARIANCES, Section 17.64.020 - Standards, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

17.64.020 - Standards.

The Appeals Hearing Officer shall not approve a variance unless, based upon the evidence presented, it finds that all of the following provisions apply:

A. Literal enforcement of the zoning district provisions of this title would cause an unreasonable hardship for the applicant not necessary to carry out the general purpose of the zoning district or this title. The Appeals Hearing Officer shall not render a finding of unreasonable hardship unless the applicant has demonstrated that the hardship is located on or associated with the property for which the variance is sought and is peculiar to the property rather than conditions general to the immediate area. In addition, the alleged hardship must be found to be related to size, shape or topography of the property for which the variance is sought. No finding of unreasonable hardship shall be made if the alleged hardship is self-imposed or economic;

B. There are special circumstances attached to the property that do not generally apply to other properties in the same zoning district. No finding of special circumstances shall be made unless they relate to the hardship complained of and deprive the property of privileges available to other properties in the same zoning district;

C. The variance is essential to the enjoyment of a substantial property right possessed by other property in the district;

D. The granting of the variance will not substantially affect the goals, objectives, policies or standards of the Iron County general plan and will not be contrary to the public interest;

E. The spirit of the requirements and provisions of this title will be observed and substantial justice done.

SECTION 21. Within, Chapter 17.64 – VARIANCES, Section 17.64.030 - Conditions, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

17.64.030 - Conditions.

In approving any variance, the Appeals Hearing Officer may require such conditions regarding the location, character and other features of the proposed structure or use as will, in its judgment, mitigate any harmful or negative effects of granting the variance and secure substantially the purposes of this title. The Appeals Hearing Officer may require a guarantee or bond to ensure that the conditions imposed will be followed. These conditions shall be expressly set forth in the Appeals Hearing Officer's order granting the variance. Violation of

any condition or limitation on the grant of a variance shall be a violation of this title and shall constitute grounds for revocation of the variance.

SECTION 22. Within, Chapter 17.64 – VARIANCES, Section 17.64.060 – Use Variance, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

17.64.060 - Use variance.
The Appeals Hearing Officer and any other person or body may not grant use variances.

SECTION 23. Within, Chapter 17.64 – VARIANCES, Section 17.64.080 – Routine and uncontested matters, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

17.64.080 - Routine and uncontested matters.
Pursuant to the County Land Use Management and Development Act, Utah Code, this section is provided to enable routine and uncontested matters, as designated by the Appeals Hearing Officer, to be determined administratively by the Zoning Administrator by following the provisions of this section.

A. Designation of routine and uncontested matters. The Appeals Hearing Officer may identify matters brought before it as routine and uncontested and provide guidelines which the Zoning Administrator shall follow in deciding a matter identified as routine and uncontested.

B. Procedures for Review and Determination.

1. An application for a routine and uncontested matter shall be filed with the Zoning Administrator.
2. The application must include the signatures of approval of all abutting property owners in a form provided by the Zoning Administrator.
3. If the signatures of all abutting property owners cannot be obtained by the applicant, the Zoning Administrator shall refer the item to the Appeals Hearing Officer for determination.
4. If the required signatures are provided, the Zoning Administrator may approve, approve with conditions, deny, or refer the item to the Appeals Hearing Officer for a determination.
5. All decisions of the Zoning Administrator will be maintained on file in the office of the Appeals Hearing Officer secretary.

C. Appeals. Any person aggrieved by a decision of the Zoning Administrator in a determination of a routine and uncontested matter may appeal the decision to the Appeals Hearing Officer pursuant to the provisions of this title.

SECTION 24. Within, Chapter 17.68 – NONCONFORMING USES, Section 17.68.020 – Expansion of a nonconforming use, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

17.68.020 - Expansion of a nonconforming use.

A. A nonconforming use of land, building or structure shall not be enlarged, extended, reconstructed or structurally altered unless such enlargement, extension, reconstruction or structural alteration and further use of such property conforms to the requirements of this title for the zoning district in which such property is located.

B. A building or structure occupied by a nonconforming use, or a building or structure nonconforming as to height and/or yard requirements, may be added to or enlarged or moved to a new location on the lot upon a permit authorized by the Appeals Hearing Officer which may issue, provided that the Appeals Hearing Officer, after the hearing, shall find:

1. The addition to, enlargement of, or moving of the building will be in harmony with one or more of the purposes of this title and shall be in keeping with the intent of this title;
2. That the proposed change does not impose any unreasonable burden upon the lands and residents located or residing in the vicinity of the nonconforming use or structure.

SECTION 25. Within, Chapter 17.68 – NONCONFORMING USES, Section 17.68.100 – Appeal, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

17.68.100 – Appeal.

Any person adversely affected by a final decision made by the Zoning Administrator determining the status of a nonconforming use or noncomplying structure may appeal the decision to the Appeals Hearing Officer in accordance with the provisions of Chapter 17.76 of this title.

SECTION 26. Within, Chapter 17.68 – NONCONFORMING USES, Section 17.68.110 – Termination by amortization upon decision of Appeals Hearing Officer, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

17.68.110 – Termination by amortization upon decision of Appeals Hearing Officer.

The Appeals Hearing Officer may require the termination of a nonconforming use, except billboards, under any plan providing a formula establishing a reasonable time period during which the owner can recover or amortize the amount of the owner's investment in the nonconforming use, if any, as determined by the Zoning Administrator. The Appeals Hearing Officer may initiate a review for amortization of nonconforming uses upon a petition filed by the Zoning Administrator, in accordance with the following standards and procedures and consistent with the County Land Use, Development, and Management Act, Title 17, Chapter 27a, of the Utah Code Annotated and shall mail written notice to the owner and occupant of the property:

A. Initiation of Termination Procedure: Appeals Hearing Officer review of a use determined to be nonconforming pursuant to the provisions of this section, for the purpose of establishing an amortization plan for termination of the use, shall first require a report from the Zoning Administrator to the Appeals Hearing Officer. The Zoning Administrator's report shall determine the nonconforming use, provide a history of the site and outline the standards for determining an amortization period.

B. Notice to Nonconforming User: Upon receipt of the report of the Zoning Administrator, recommending the establishment of an amortization plan for a nonconforming use, the Appeals Hearing Officer shall mail the report and plan to the owner and occupant(s) of the nonconforming use, giving notice of the

Appeals Hearing Officer's intent to hold a hearing to consider the request in accordance with the standards and procedures set forth in Chapter 17.08 of this title.

C. Appeals Hearing Officer Review: The Appeals Hearing Officer shall hold a noticed hearing within a reasonable time, following the procedures established in chapter 17.08 of this title, on the request for amortization of the nonconforming use. Upon the conclusion of the hearing, the Appeals Hearing Officer shall determine whether the nonconforming use should be amortized within a definite period of time.

D. Standards for Determining Amortization Period: The Appeals Hearing Officer shall determine the appropriate amortization period upon the consideration of evidence presented by the Zoning Administrator and the owner of the nonconforming use that is sufficient to make findings regarding the following factors:
1. The general character of the area surrounding the nonconforming use;
2. The zoning classification and use(s) of nearby property;
3. The extent to which property values are adversely affected by the nonconforming use;
4. The owner's actual amount of investment in the property on the effective date of nonconformance, less any investment required by other applicable laws and regulations;
5. The amount of loss, if any, that would be suffered by the owner upon termination of the use; and
6. The extent to which the amortization period will further the public health, safety and welfare.
E. Appeal: Any person adversely affected by a final decision of the Appeals Hearing Officer may file a petition for review of the decision with the district court within thirty (30) days after the decision is rendered.

SECTION 27. Within, Chapter 17.72 - ENFORCEMENT, the definition of "Hearing Officer" in **Section 17.72.010 – Definitions,** of the Iron County Code, shall be, and hereby is, identified and amended to read as follows *(all other definitions in this section remain un-amended)*:

"Hearing Officer" means the person(s) designated to hear appeals pursuant to this chapter. The Hearing Officer shall be the designee named by the County Commission. The designee need not be a county employee. The County Commission may also appoint a committee to function as the Hearing Officer.

SECTION 28. Within, Chapter 17.72 – ENFORCEMENT, Section 17.72.140 – Reconsideration/revocation of approvals, permits and licenses, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

17.72.140 - Reconsideration/revocation of approvals, permits and licenses. Notwithstanding the procedures outlined in this chapter, an approved development application, permit or license may be reconsidered and revoked by the Zoning Administrator, the Planning Commission, the Appeals Hearing Officer or board of County Commissioners in accordance with the procedures set forth in Section 17.72.150 of this chapter if it is determined that the application, decision, permit or license was based on materially inaccurate or incomplete information.

SECTION 29. Within, Chapter 17.76 – APPEALS, Section 17.76.010 – Administrative decisions – Zoning Administrator, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

17.76.010 - Administrative decisions—Zoning Administrator.

A. Except as provided in this chapter or county ordinance, decisions of the Zoning Administrator in applying the provisions of this title, or decisions of the enforcement officer in applying Chapters 8.20 and 17.72 by enforcing county zoning and nuisance ordinances, may be appealed to the Appeals Hearing Officer by filing an application and all necessary materials within thirty days of the date of the Zoning Administrator's decision.

B. Following receipt by the Appeals Hearing Officer of an appeal of a decision by the Zoning Administrator, the Appeals Hearing Officer shall give notice and schedule a public hearing. Following the hearing and the submission of all necessary and relevant information, the Appeals Hearing Officer shall render a decision on the appeal.

C. The Appeals Hearing Officer shall provide a copy of the board's decision by mail to all parties to the appeal within fourteen days of the appeal Hearing Officer's decision.

SECTION 30. Within, Chapter 17.76 – APPEALS, Section 17.76.020 –Board of Adjustment decisions, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

17.76.020 - Appeals Hearing Officer's decisions.

Any person aggrieved by a decision of the Appeals Hearing Officer may, within thirty days after the decision is made, present to the district court a petition specifying the nature of the appeal and the grounds on which they are adversely affected.

SECTION 31. Within, Chapter 17.76 – APPEALS, Section 17.76.030 – Planning Commission decisions, of the Iron County Code, shall be, and hereby is, identified and amended to read as follows:

17.76.030 - Planning Commission decisions.

Any person aggrieved by a decision of the Planning Commission may be appealed to the Appeals Hearing Officer within thirty days of the date of the decision specifying the nature of the appeal. All final decisions of the Planning Commission concerning conditional use applications shall be appealed to the Appeals Hearing Officer .

SECTION 32. General Provision.

Sections of the Iron County Code identified in this ordinance, shall be, and hereby are, amended with the express intent to omit the existence, definition, and use of "BOARD OF ADJUSTMENT", or "BOA" throughout the Iron County Code and to add and describe the definition, function and purpose of "Appeals Hearing Officer". Should other provisions of the Iron County Code conflict with these changes, the codifier is instructed to amend the code, such that the existence and title of "BOARD OF ADJUSTMENT" shall no longer appear in any section of the Iron County Code and shall be replaced with "Appeals Hearing Officer", and remain consistent with this ordinance.

SECTION 33. Repealer.
All acts, resolutions, and regulations of Iron County in conflict with this Ordinance or not consistent with this ordinance are hereby repealed as of the effective date of this ordinance to the extent of such conflict or inconsistency. This repealer shall not be construed so as to revive any resolution, act, or regulation, or part thereof, heretofore repealed.

SECTION 34. Severability.
Should any portion of this ordinance be found for any reason to be unconstitutional, unlawful, or otherwise void or unenforceable, the balance of the ordinance shall be severable therefrom, and shall survive such declaration, remaining in full force and effect.

SECTION 35. Effective Date. This ordinance shall become effective immediately after the required publication thereof, as set forth in Utah Code § 17-53-208.

PASSED AND ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF IRON COUNTY, UTAH this 25th day of June, 2012.

BOARD OF COUNTY COMMISSIONERS
IRON COUNTY, UTAH

By:_____
Dale Brinkerhoff, Chair

ATTEST:

_____
David I. Yardley,
Iron County Clerk

VOTING:

Alma L. Adams	Aye
Dale Brinkerhoff	Aye
Dan Webster	Aye