**ORDINANCE NO.**

**AN ORDINANCE OF WEBER COUNTY AMENDING CHAPTER 2-10 “ADMINISTRATIVE APPEALS” OF THE WEBER COUNTY CODE OF ORDINANCES**

**WHEREAS,** in 2023 the Utah Legislature passed H.B. 351 which requires that every county establish an appeal authority to hear and decide appeals from a county recorder’s application of rules made by the County Recorder Standards Board; and

**WHEREAS,** Weber County desires to amend the language contained in Chapter 2-10 “Administrative Appeals” of the Weber County Code of Ordinances to comply with the requirements of H.B. 351; and

**NOW THEREFORE**, the Board of County Commissioners of Weber County ordains as follows: Chapter 2-10 of the Weber County Code of Ordinances, shall be amended to read as follows in "**Attachment A".**

This Ordinance shall be effective 15 days after publication in the Standard Examiner.

PASSED, ADOPTED AND A SYNOPSIS ORDERED PUBLISHED this day of

, 2023.

BOARD OF COUNTY COMMISSIONERS OF WEBER COUNTY

By Gage Froerer, Chair

ATTEST:

Commissioner Harvey voted Commissioner Froerer voted Commissioner Bolos voted

Ricky Hatch, CPA

Weber County Clerk/Auditor

**ATTACHMENT A**

**Chapter 2-10 Administrative Appeals**

**Sec 2-10-1 Purpose**

1. The purpose of this chapter is to provide persons who are aggrieved by decisions, other than land use decisions or decisions of the county building official, of the Recorder’s/Surveyor's Office (including decisions regarding the application of rules of the County Recorder Standards Board) or the Community and Economic Development Department with a mechanism to appeal those decisions.
2. If a party is aggrieved by agency action, and there is no other process established by state or county code to appeal the agency action, the aggrieved party may appeal the agency action by following the process set forth in this chapter.

**Sec 2-10-2 Definitions**

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Agency* means the Recorder’s/Surveyor's Office or the Community and Economic Development Department or any of its divisions.

*Agency designee* means an employee of the agency that took the agency action who has been assigned to handle initial administrative appeals.

*Agency action* means any official act by the Recorder’s/Surveyor's Office or the Community and Economic Development Department or one of its divisions, other than a land use decision or decisions of the county building official, to carry out properly assigned governmental powers and duties including, but not limited to, license or permit approvals, denials, conditions, suspensions, revocations, imposition of penalties, issuance of stop work orders, and any other similar administrative action.

*Aggrieved party* means the person, business, or other entity whose interests were adversely affected by the agency action.

*Days* means calendar days. In computing any period of time prescribed or allowed under this chapter, the date of the act or event from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included, unless it is a Saturday, a Sunday, or a legal holiday, in which event the period runs until the end of the next business day.

*Land use decision* means a decision applying a state or county land use code to an application required by the land use code, made by a person or body authorized by the land use code to make the decision.

*Send,* in the context of a notice or decision, means to place in the mail, first class, properly addressed to the recipient's last known address, with sufficient postage; to send by electronic means; or to deliver to the recipient in person.