

ORDINANCE NO. 2003 12

ENT 64966:2003 PG 1 of 2  
RANDALL A. COVINGTON  
UTAH COUNTY RECORDER  
2003 Apr 30 9:34 am FEE 0.00 BY BLS  
RECORDED FOR UTAH CNTY COMM DEVELOP

**AN ORDINANCE TO AMEND THE UTAH COUNTY ZONING ORDINANCE,  
SECTION 2-2-B, DEFINITIONS, TO ADD THE DEFINITION OF "WINDMILL" AND  
TO DELETE SECTION 5-2-C-1, RA-5 ZONE, ELECTRICAL POWER GENERATION  
PLANT AS A PERMITTED CONDITIONAL USE**

THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF UTAH ORDAINS AS  
FOLLOWS:

**Part I:**

Utah County Zoning Ordinance, Section 2-2-B, Paragraph 145A [Definitions] is hereby added to  
read as follows:

A structure utilizing wind power for the pumping of water for agricultural use on the parcel of  
property on which the windmill is located, or for electrical power generation for a residence and  
other permitted structures and uses located on the subject parcel of property. [This definition  
shall not preclude a windmill which generates it's primary electrical power for use on the  
premise from selling the surplus to an electrical utility provider; provided that the design of the  
windmill is only to provide required electrical power for use on the subject parcel of property,  
and not for commercial electrical power generation. Any other wind generated electrical power  
facility shall be classified as an electrical power generation plant, not a windmill.]

**Part II:**

Utah County Zoning Ordinance, Section 5-2-C, paragraph 1, electrical power generation plant as  
a permitted conditional use in the RA-5 zone, is hereby deleted and paragraphs 2-19 of Section 5-  
2-C renumbered as paragraphs 1-18.

**Part III:**

Insert pages reflecting the above amendments, including a title page which bears the enactment  
date of this ordinance, are hereby ordered to be filed in the three copies of the Utah County  
Zoning Ordinance which are on file with the Utah County Clerk-Auditor.

**Part IV:**

If any of the sections, sentences, clause or provisions of this ordinance shall for any reason be  
adjudged inapplicable or invalid by a court of competent jurisdictions, such shall not affect or  
invalidate the remaining portion contained herein.

**Part V:**

This ordinance shall take effect: 1) sixteen (16) days after it is passed, or 2) after it has been published, whichever date is later.

PASSED and ordered published this 22 day of April, 2003.

**UTAH COUNTY COMMISSION**

**VOTE**

Gary R. Herbert  
Gary R. Herbert, Chair

Aye

Steve White  
Steve White, Commissioner

Aye

Jerry D. Grover  
Jerry D. Grover, Commissioner

Nay

**ATTEST:**  
KIM T. JACKSON  
County Auditor/Clerk

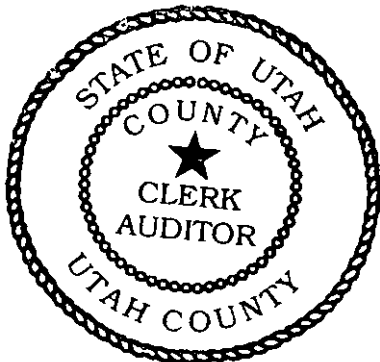
**APPROVED AS TO FORM:**  
KAY BRYSON,  
County Attorney

By: Linda Stickland  
Deputy

By: Kay Bryson  
Deputy

Date of Publication: once only, as soon as possible

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# PROOF OF PUBLICATION

from

## The Daily Herald

STATE OF UTAH } SS.  
Utah County }

I, Kelly Blair, being first duly sworn depose and say that I am the Legal Billing Clerk of the Daily Herald, a newspaper of general circulation, published seven times each week at Provo, Utah, County of Utah; that the notice attached hereto, #028300-#6797-NOTICE ORDINANCE, and which is a copy, was published in said newspaper the first publication having been made on the 5th day of May, 2003, and the last on the 5th day of May, 2003; that said notice was published in the regular and entire issue of every number of the paper during the period and times of publication, and the same was published in the newspaper proper and not in the supplement.

**NOTICE**  
ORDINANCE NO. 2003-12, ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH ON APRIL 22, 2003 AMENDING THE UTAH COUNTY ZONING ORDINANCE, SECTION 2-2-B, DEFINITIONS, TO ADD THE DEFINITION OF "WINDMILL" AND TO DELETE SECTION 5-2-C-1, RA-5 ZONE, ELECTRICAL POWER GENERATION PLANT AS A PERMITTED CONDITIONAL USE.

A COMPLETE COPY OF THE ORDINANCE IS AVAILABLE AT THE COUNTY CLERK/AUDITOR'S OFFICE. COMMISSIONER GARY R. HERBERT, COMMISSIONER STEVE WHITE VOTED IN FAVOR OF THE ORDINANCE. COMMISSIONER JERRY D. GROVER VOTED NAY.  
Legal Notice 028300 Published in The Daily Herald  
May 5, 2003

*Kelly Blair*  
Subscribed and sworn before me  
this 5th day of May, 2003.

*Lisa Dallette Stone*  
Notary Public

Residence: Eagle Mountain  
My commission expires February, 2005

