

ORDINANCE NO. 2003 -21

AN ORDINANCE AMENDING THE UTAH COUNTY
ZONING ORDINANCE AS TO SECTION 7-23-B.

THE COUNTY LEGISLATIVE BODY OF THE COUNTY OF UTAH ORDAINS AS
FOLLOWS:

PART I:

Section 7-23-B of the Utah County Zoning Ordinance is hereby amended to read as follows:

7-23: RECOURSE FROM ACTIONS TAKEN BY THE BOARD

* * *

- B. The Board of Adjustment shall transmit to the reviewing court the complete record of its proceedings, including applications, exhibits, minutes, findings, orders, and any transcript of tape recordings which may be on file with the Board. *The person or entity filing the petition for review shall request from the secretary to the Board a verbatim transcript of the record and such person or entity shall pay the reasonable transcription fees as set by the Board.* If there is a record, the review of the District Court is limited to the record, and the Court may not accept or consider evidence outside of the record unless it determines that such evidence was offered to the Board of Adjustment and improperly excluded. If there is no record, the Court may call witnesses and take evidence.

* * *

PART II:

Insert pages reflecting the above amendments are hereby ordered to be filed in the three (3) file copies of the Official Utah County Zoning Ordinance on file with the Utah County Clerk/Auditor.

PART III:

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 24 day of June, 2003.

UTAH COUNTY COMMISSION

VOTE

Gary R. Herbert
Gary R. Herbert, Chairman

Jerry D. Grover
Jerry D. Grover, Commissioner

Steven White
Steven White, Commissioner

ATTEST:

Kim T. Jackson
Utah County Clerk/Auditor

By: Anda Suckland
Deputy

APPROVED AS TO FORM:

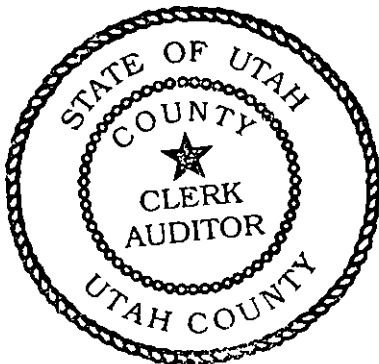
C. Kay Bryson
Utah County Attorney

Approved Disapproved

By: [Signature]
Deputy

Date of Publication: June 24, 2003 [one time, as soon as possible]

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PROOF OF PUBLICATION

from

The Daily Herald

STATE OF UTAH }
Utah County } SS

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, #040096-#2003-18555-NOTICE ORD , and which is a copy, was published in said newspaper the first publication having been made on the 29th day of June, 2003, and the last on the 29th day of June, 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. 2003-21, ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH ON JUNE 24, 2003 AMENDING THE UTAH COUNTY ZONING ORDINANCE, SECTION 7-23-B CONCERNING THE PAYMENT OF VERBATIM TRANSCRIPTS FROM THE UTAH COUNTY BOARD OF ADJUSTMENT.

A COMPLETE COPY OF THE ORDINANCE IS AVAILABLE AT THE COUNTY CLERK/AUDITOR'S OFFICE. COMMISSIONER GARY R. HERBERT, COMMISSIONER STEVE WHITE AND COMMISSIONER JERRY D. GROVER VOTED IN FAVOR OF THE ORDINANCE.
Legal Notice 040096 Published in The Daily Herald June 29, 2003.

Kelly Blair
Subscribed and sworn before me
this 29th day of June, 2003.

Lisa Danette Stone
Notary Public

Residence: Eagle Mountain, Utah
My commission expires February 2005

