

ORDINANCE NO. 2004 5

AN ORDINANCE AMENDING SECTION 1-6, PARAGRAPHS F & H OF THE UTAH COUNTY ZONING ORDINANCE, NONCONFORMING USE REQUIREMENTS

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

ENT 34287;20041 PG 1 of 2
RANDALL A. COVINGTON
UTAH COUNTY RECORDER
2004 Mar 29 10:17 am FEE 0.00 BY LJ
RECORDED FOR UTAH CTY COMMUNITY DEV

Part I:

Utah County Zoning Ordinance, Section 1-6-F is hereby amended to read as follows:

F. AMORTIZATION OF RIGHT TO OCCUPY OR USE

A nonconforming building, or a structure or parcel of land containing a nonconforming use, which is not licensed, not occupied or not used for a continuous period of one year or longer, shall not thereafter be re-licensed, re-occupied or used anew except by a building and use which conforms to the regulations of the zone in which it is located.

Part II:

Utah County Zoning Ordinance, Section 1-6-H is hereby amended to read as follows:

H. NO RIGHT GAINED BY UNPERMITTED OCCUPANCY OR USE

No nonconforming status, or any right to occupy a building or use of a structure or parcel of land contrary to the provisions of this ordinance, shall be gained through such occupancy or use in the past when such was illegal or accomplished without a permit.

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 23th day of March, 2004.

UTAH COUNTY COMMISSION

VOTE

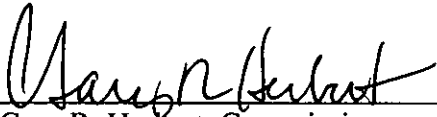


Steve White, Chair

Yes

Jerry D. Grover, Commissioner

Absent




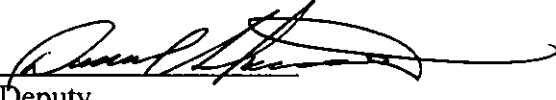
Gary R. Herbert, Commissioner

Yes

ATTEST:
KIM T. JACKSON
County Auditor/Clerk

APPROVED AS TO FORM:
KAY BRYSON,
County Attorney

By: 
Deputy

By: 
Deputy

Date of Publication: once only, as soon as possible

PROOF of PUBLICATION

from

The Daily Herald

STATE OF UTAH } SS
Utah County }

ORDINANCE NO. 2004-5,
ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH ON MARCH 23, 2004, AMENDING SECTION 1-6-F, AMORTIZATION OF RIGHT TO OCCUPY OR USE, AND SECTION 1-6 H, NO RIGHTS GAINED BY UNPERMITTED OCCUPANCY OR USE, OF THE UTAH COUNTY ZONING ORDINANCE. A COMPLETE COPY OF THE ORDINANCE IS AVAILABLE AT THE COUNTY CLERK/AUDITOR'S OFFICE.
COMMISSIONER STEVE WHITE AND COMMISSIONER GARY R. HERBERT VOTED IN FAVOR OF THE ORDINANCE. COMMISSIONER JERRY D. GROVER WAS EXCUSED FROM THE VOTE.
Legal Notice 090710 Published in The Daily Herald March 26, 2004

I, Gayleen Wilson, 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, #090710 - NO. 2004-5, , and which is a copy, was published in said newspaper the first publication having been made on the 26th day of March, 2004, and the last on the 26th day of March, 2004; 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.

Gayleen Wilson

Subscribed and sworn before me
this 26th day of March, 2004.

Denise K. White Notary Public

Residence: Orem
My commission expires February 2007

