

ORDINANCE NO. 2004-31

AN ORDINANCE AMENDING SECTIONS 3-28-C AND 3-28-D OF THE UTAH COUNTY ZONING ORDINANCE UPDATING AN EXISTING EXCEPTION FOR RECLAMATION PLANS AND BONDING REQUIREMENTS

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

PART I:

Utah County Zoning Ordinance, Section 3-28-C (last paragraph) is hereby amended to read as follows:

Conditions 1, 2, 4, 5, and 6 may be satisfied by submission of an approved operation and Reclamation Plan for Mining Operations as specified in Utah State Code.

PART II:

Utah County Zoning Ordinance, Section 3-28-D (last paragraph) is hereby amended to read as follows:

The Bond requirement under Section D may be satisfied by submission of a properly executed Reclamation Contract for surety under the Mining Operations requirements as found in the Utah State Code, provided, however, that if the proposed operation requires the issuance of a special exception by the Utah County Board of Adjustment and the Board of Adjustment imposes a bond amount which is larger, or contains additional terms, than that which is required by the State of Utah, then the applicant shall enter into a separate bonding agreement acceptable to Utah County for the additional bond amount (or full bond amount if the State bond is not used or does not contain the required terms) which bonding agreement shall contain all of the terms required by the Board of Adjustment.

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) Fifteen (15) days after it is passed, or 2) after it has been published, whichever date is later.

PASSED and ordered published this 21st Day of December, 2004.

UTAH COUNTY COMMISSIONER

VOTE

Steve White
STEVE WHITE, Chairman

Aye

Gary R. Herbert
GARY R. HERBERT, Commissioner

Aye

Jerry D. Grover
JERRY D. GROVER, Commissioner

Aye

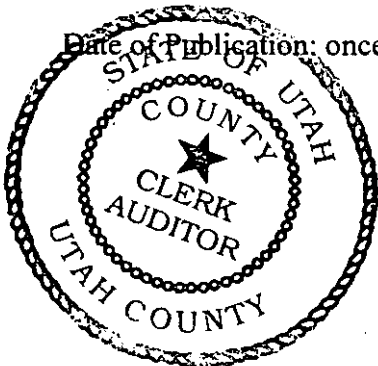
ATTEST:
KIM T. JACKSON
County Clerk/Auditor

APPROVED AS TO FORM:
KAY BRYSON
County Attorney

By: Linda Strickland
Deputy

By: E. Kent Judd
Deputy Utah County Attorney

Date of Publication: once only, as soon as possible.



PROOF OF PUBLICATION

from

The Daily Herald

STATE OF UTAH } SS.
Utah County }

Public Notice
ORDINANCE NO. 2004-31, ADOPTED BY THE BOARD OF COUNTY COMMISSIONERS OF UTAH COUNTY, UTAH ON DECEMBER 21, 2004, AMENDING SECTIONS 3-28-C AND 3-28-D OF THE UTAH COUNTY ZONING ORDINANCE UPDATING AN EXISTING EXCEPTION FOR RECLAMATION PLANS AND BONDING REQUIREMENTS.
A COMPLETE COPY OF THE ORDINANCE IS AVAILABLE AT THE COUNTY CLERK/AUDITORS OFFICE. COMMISSIONER STEVE WHITE, COMMISSIONER JERRY D. GROVER, AND COMMISSIONER GARY R. HERBERT VOTED IN FAVOR OF THE ORDINANCE.
Legal Notice 145251 Published in The Daily Herald December 24, 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, #145251-Public Notice ORDINANC, and which is a copy, was published in said newspaper the first publication having been made on the 24th day of December, 2004, and the last on the 24th day of December, 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 24th day of December, 2004.

Denise K. White Notary Public

Residence: Orem

My commission expires February, 2007

