

DAGGETT COUNTY, UTAH
ORDINANCE NO. 00-03

AN ORDINANCE OF DAGGETT COUNTY, UTAH PROVIDING FOR THE ESTABLISHMENT OF A TEMPORARY ZONING REGULATION; PROVIDING TEMPORARY LAND USE REGULATIONS FOR THE DUTCH JOHN PLANNING AREA FOR A MAXIMUM PERIOD OF SIX (6) MONTHS TO ALLOW FOR THE FORMULATION AND ADOPTION OF THE DUTCH JOHN PLANNING DISTRICT ZONING ORDINANCE; PROVIDING A TITLE; PROVIDING A PURPOSE AND INTENT; PROVIDING FINDINGS; PROVIDING FOR APPLICABILITY; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Daggett County is in the process of receiving legislative and administrative responsibility for the area of Daggett County, known as Dutch John; and,

WHEREAS, during the transfer of legislative and administrative responsibility from the Federal Government to Daggett County, Daggett County is, and will be receiving various applications for the establishment of various uses within the Dutch John area of unincorporated Daggett County; and

WHEREAS, to fully provide for the protection of the public health, welfare and safety, while allowing for the consideration and possible approval of various uses it is determined appropriate that Daggett County impose a Temporary Zoning Regulation, applicable to the Dutch John area of unincorporated Daggett County; and

WHEREAS, the Board of County Commissioners is authorized by State law (Title 17, Chapter 27, Section 17-27-404) to adopt an ordinance establishing Temporary Zoning Regulations for any part or all of the area within the County to be effective for a period not to exceed six (6) months; and,

WHEREAS, Temporary Zoning Regulations may prohibit, restrict, or regulate the erection, construction, reconstruction, or alteration of any building or structure or subdivision approval.

NOW, THEREFORE, the County Legislative Body of the County of Daggett, ordains as follows:

SECTION 1. FINDINGS.

1. The Board of County Commissioners hereby finds that in order to protect the public health, welfare and safety of citizens of Daggett County, and to allow for the formulation

and adoption of a permanent Zoning Ordinance for the Dutch John Planning District it is appropriate and necessary to impose the Dutch John Planning District Temporary Zoning Ordinance, as attached hereto; and

2. The Board of County Commissioners hereby finds it to be a matter of compelling, countervailing public interest to establish the Dutch John Planning District Temporary Zoning Ordinance, as a temporary zoning regulation; and
3. The Board of County Commissioners finds that the health, safety and the general welfare of the residents of Daggett County will be promoted by establishing a temporary zoning regulation for the Dutch John Planning District.

SECTION 2. APPLICABILITY.

A. Term of Ordinance.

This Ordinance shall remain in effect for the earlier of:

- (1) Six (6) months from its effective date following its adoption by the Board of County Commissioners; or
- (2) The date of the adoption by the Board of County Commissioners of the permanent Dutch John Planning District Zoning Ordinance.

B. Affected Area.

This Ordinance shall apply to all properties within the area identified as the Dutch John Planning District by the map of such District, as attached hereto.

SECTION 3. EFFECT ON EXISTING COUNTY ORDINANCES; CONFLICT.

A. Effect.

This Ordinance shall be deemed to provide necessary land use regulations for the Dutch John Planning District and to be supplemental to any other applicable County ordinances and regulations.

B. Conflict.

To the extent of any conflict between other County ordinances or regulations and this ordinance, the more restrictive is deemed to be controlling.

SECTION 4. SEVERABILITY.

If any section, subsection, sentence, clause, phrase, or portion of this ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portions shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION 5. EFFECTIVE DATE.

The restrictions of this ordinance are necessary for the immediate preservation of peace, health and safety of the County, therefore, this Ordinance shall take effect immediately upon its passage by the Board of County Commissioners of Daggett County, Utah.

PASSED this 1st day of February, 2000.

**BOARD OF COUNTY COMMISSIONERS
DAGGETT COUNTY, UTAH**

By: James M Briggs
Commissioner James Briggs, Chair, Daggett County Board of County Commissioners

ATTEST: 

Vicky McKee
Vicky McKee,
County Clerk

Approved as to Form:

Richard Palmer for
County Attorney

Attachment: 1. Dutch John Planning District Temporary Zoning Regulation
2. Dutch John Planning District Map