

**TOOELE COUNTY
ORDINANCE 2022-08**

**AN ORDINANCE ADOPTING CHAPTER 24, BOUNDARY
COMMISSION, OF TITLE 4, BOARDS AND COMMITTEES, OF THE
TOOELE COUNTY CODE**

WHEREAS, Utah Code Title 10, Chapter 2, Part 4 requires each county to establish a boundary commission no later than 30 days after the filing of a protest to a proposed annexation; and

WHEREAS, Tooele County established a boundary commission in 2020 but did not, at that time, adopt an ordinance formalizing the establishment of the boundary commission; and

WHEREAS, it is advisable and appropriate to adopt an ordinance formalizing the establishment of the boundary commission;

NOW, THEREFORE, THE COUNTY LEGISLATIVE BODY OF TOOELE COUNTY ORDAINS AS FOLLOWS:

SECTION I – CHAPTER ADOPTED. Chapter 24, *Boundary Commission*, of Title 4, *Boards and Committees*, of the Tooele County Code is hereby adopted to read as attached hereto, which attachment is, by this reference, made a part hereof.


SECTION II – REPEALER. Ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION III – EFFECTIVE DATE. This ordinance shall become effective fifteen (15) days after its passage, provided it has been published, or at such publication date if more than fifteen (15) days after passage.

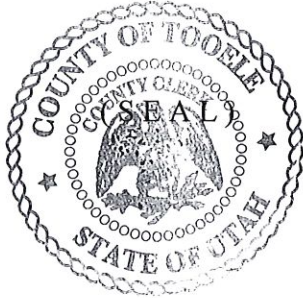
IN WITNESS WHEREOF the Tooele County Council, which is the legislative body of Tooele County, passed, approved and enacted this ordinance this 1st day of February, 2022.

Tooele County
Ord. 2022-08

ATTEST:



TRACY D. SHAW, County Clerk



APPROVED AS TO FORM:

 02/02/2022

COLIN R. WINCHESTER
Deputy Tooele County Attorney

TOOELE COUNTY COUNCIL:



JARED S. HAMNER, Chair

- Council Member Hamner voted aye
- Council Member Hoffmann voted aye
- Council Member Thomas voted aye
- Council Member Tripp voted aye
- Council Member Wardle voted aye

TOOELE COUNTY CODE
TITLE 4
BOARDS AND COMMITTEES

CHAPTER 24
BOUNDARY COMMISSION

Section

- 4-24-1. Establishment.**
- 4-24-2. Membership.**
- 4-24-3. Term – Compensation.**
- 4-24-4. Duties.**
- 4-24-5. Chair – Meetings – Quorum.**
- 4-24-6. Disqualification.**
- 4-24-7. Administrative support.**

4-24-1. Establishment.

There is hereby formally established a boundary commission.

4-24-2. Membership.

The commission shall consist of seven members, each appointed pursuant to Utah Code Title 10, Chapter 2, Part 4.

4-24-3. Terms – Compensation.

- (1) Members shall serve staggered four-year terms.
- (2) One member's initial term shall expire on the first Monday in January 2022. Two members' initial terms shall expire on the first Monday in January 2023. Two members' initial terms shall expire on the first Monday in January 2024. Two members' initial terms shall expire on the first Monday in January 2025.
- (3) Members shall not receive compensation for their service but may receive per diem and travel expenses incurred in the performance of their official duties.

4-24-4. Duties.

- (1) The commission shall hear and decide, according to the provisions of Utah Code Title 10, Chapter 2, Part 4, each protest filed with respect to a proposed annexation area located within the county.
- (2) The commission may:
 - (a) adopt and enforce rules of procedure for the orderly and fair conduct of its proceedings;
 - (b) authorize a member of the commission to administer oaths, if necessary, in the performance of the commission's duties;
 - (c) employ staff personnel and professional or consulting services reasonably necessary to enable the commission to carry out its duties; and
 - (d) incur reasonable and necessary expenses to enable the commission to carry out its duties.

4-24-5. Chair – Meetings – Quorum.

(1) Members shall elect a chair at the first commission meeting held each odd-numbered calendar year. The chair shall serve for two years.

(2) The commission shall meet as needed to fulfill its responsibilities.

(3) A majority of the commission constitutes a quorum for the purpose of conducting commission business, and the action of a majority of a quorum constitutes the action of the commission.

4-24-6. Disqualification.

(1) A member is disqualified with respect to a protest before the commission if that member owns property within the area proposed for annexation.

(2) If a member is disqualified pursuant to subsection (1), the body that appointed the disqualified member shall appoint an alternate member to serve on the commission for purposes of the protest as to which the member is disqualified.

4-24-7. Administrative support.

The county attorney's office shall provide administrative support to the commission.