

ORDINANCE 24-04

WHEREAS, on January 6, 1994 the Hyrum City Council passed an ordinance adopting a code entitled the "Hyrum City Municipal Code"; and

WHEREAS, Title 2 Administration and Personnel of the Hyrum City Municipal Code creates and establishes boards, sets forth the power and duties, and the appointment of board members; and

WHEREAS, on February 9, 2024 Hyrum City adopted Ordinance 24-01 amending Title 16 the Subdivision Ordinance of the Hyrum City Municipal Code to further comply with Utah State Code Section 10-9a-6 Subdivision, which is the Municipal Land Use, Development, and Management Act was amended by Senate Bill 174 in 2023 to standardize the administrative subdivision approval process for single family houses, two family houses, and townhouses; and

WHEREAS, Ordinance 24-01 also designates the Administrative Land Use Authority to approve the Final Plat of Subdivisions in Hyrum and such board needs to be established, created, and defined by Ordinance; and

NOW, THEREFORE, the City Council of Hyrum City, Cache County, State of Utah, hereby adopts and passes the following:

AN ORDINANCE ADDING CHAPTER 2.85 ADMINISTRATIVE LAND USE AUTHORITY TO TITLE 2 ADMINISTRATION AND PERSONNEL OF THE HYRUM CITY MUNICIPAL CODE.

BE IT ORDAINED by the City Council of Hyrum City, Cache County, State of Utah as follows:

1. Section 2.85 Administrative Land Use authority of the Hyrum City Municipal Code is hereby adopted as follows:

**2.85 Administrative Land Use Authority**

2.85.010 Creation

2.85.020 Purpose and Scope

2.85.030 Administrative Land Use Authority - Created - Appointments.

2.85.040 Administrative Land Use Authority - Members - Terms

**2.85.010 Creation**

The Administrative Land Use Authority "ALUA" is a Board appointed or employed by Hyrum City to issue final plat approval for a land use application. The land use authority may differ based on the application type.

**2.85.020 Purpose and Scope**

The purpose and scope of the ALUA is to review the final plat for subdivision application to ensure that such applications and plats meets all the requirements and conditions set forth in Title 16 the Subdivision Ordinance.

**2.85.030 Administrative Land Use Authority - Created - Appointments.**

There is hereby created and established a body to be designated as the Administrative Land Use Authority, hereinafter referred to as "ALUA", which shall be composed of three members, all of whom shall be appointed by the Mayor with the advice and consent of the City Council.

**2.85.040 Administrative Land Use Authority - Members - Terms.**

Persons and/or firms appointed to the ALUA will serve on Board until appointee asks to be released from such Board and/or Mayor and City Council appoints a new member to replace appointee. There are no terms or term limits for ALUA members.

2. REPEALER. All ordinances, resolutions, and zoning maps of the city, or parts thereof inconsistent herewith, are hereby repealed, but only to the extent of such inconsistency. This repealer shall not be construed as reviving any law, order, resolution or ordinance or part thereof.

3. DECLARATION OF SEVERABILITY. Should any provision, clause, or paragraph of this ordinance or the application thereof to any person or circumstance be declared by a court of competent jurisdiction to be invalid, in whole or in part, such invalidity shall not affect the other provisions or applications of this ordinance or the Hyrum City Municipal Code to which these amendments apply. The valid part of any provision, clause, or paragraph of this ordinance shall be given independence from the invalid provisions or applications and to this end the parts, sections, and subsections of this ordinance, together with the regulations contained therein, are hereby declared to be severable.

4. EFFECTIVE DATE. This ordinance shall become effective upon posting three (3) copies in three (3) public places within Hyrum City.

5. ADOPTION. This ordinance is hereby adopted and passed by the Hyrum City Council this 21<sup>st</sup> day of March, 2024.

HYRUM CITY

BY: \_\_\_\_\_  
Stephanie Miller  
Mayor

ATTEST:

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Stephanie Fricke  
City Recorder