

TOWN OF HIDEOUT
ORDINANCE #2024-O-03

AN ORDINANCE AMENDING SECTIONS OF THE HIDEOUT CODE TO MATCH STATE REQUIREMENTS AND TO PUT FEES IN THE FEE SCHEDULE

WHEREAS, Staff has kept an ongoing log of necessary revisions to the Hideout Code;

WHEREAS, Utah Code Title 10, Chapter 3, Part 7 (Municipal Ordinances Resolutions and Procedures) states all requirements for Ordinances and Resolutions and the Town of Hideout Council will follow the Utah State Code requirements;

WHEREAS, noticing requirements have changed in the State Code and no longer require newspaper notice;

WHEREAS, certain updates will add clarity on the fees for business licenses.

NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF HIDEOUT, UTAH, THAT:

SECTION I: The following Sections are repealed:

i) ~~1.10.060 ORDINANCES AND RESOLUTIONS; PROCEDURES~~

~~A. Power Exercised By Ordinance: The town council may pass any ordinance to regulate, require, prohibit, govern, control or supervise any activity, business, conduct or condition authorized by statute or any other provision of law. An officer of the town shall not be convicted of a criminal offense where he relied on or enforced an ordinance he reasonably believed to be a valid ordinance. It shall be a defense to any action for punitive damages that the official acted in good faith in enforcing an ordinance or that he enforced an ordinance on advice of legal counsel.~~

~~B. Form of Ordinance: Any ordinance passed by the town council shall contain and be in substantially the following order and form:~~

- ~~1. A number;~~
- ~~2. A title which indicates the nature of the subject matter of the ordinance;~~
- ~~3. A preamble which states the need or reason for the ordinance;~~
- ~~4. An ordaining clause which states: "Be it ordained by the Town of Hideout:";~~
- ~~5. The body or subject of the ordinance;~~
- ~~6. When applicable, a statement indicating the penalty for violation of the ordinance or a reference that the punishment is covered by an ordinance which prescribes the fines and terms of imprisonment for the violation of the town ordinance; or, the penalty may establish a classification of penalties and refer to such ordinance in which the penalty for such violation is established;~~

- ~~7. A statement indicating the effective date of the ordinance or the date when the ordinance shall become effective after publication or posting as required by this section;~~
- ~~8. A line for the signature of the mayor or acting mayor to sign the ordinance;~~
- ~~9. A place for the town clerk to attest the ordinance and affix the seal of the town;~~
- ~~10. Where the mayor may disapprove an ordinance passed by the town council, the ordinance must show that it was passed with the mayor's approval or that if the mayor disapproved the ordinance that it was passed over his disapproval. If the mayor neither approves or disapproves an ordinance, the ordinance should show that it became effective without the approval or disapproval of the mayor.~~

~~C. Requirements as to Form; Effective Date:~~

- ~~1. Ordinances passed or enacted by the town council shall be signed by the mayor, or if he absent, by the mayor pro tempore, or by a quorum of the town council, and shall be recorded before taking effect. No ordinance shall be void or unlawful by reason of its failure to conform to the provisions of Utah Code § 10-3-704(1), (2), (3) or (4).~~
- ~~2. Ordinances shall become effective twenty (20) days after publication or posting or thirty (30) days after final passage by the town council, whichever is closer to the date of final passage, but ordinances may become effective at an earlier or later date after publication or posting if so provided in the ordinances.~~
- ~~3. Ordinances which do not have an effective date shall become effective twenty (20) days after publication or posting, or thirty (30) days after final passage by the town council, whichever is sooner.~~

~~D. Publication and Posting Of Ordinances:~~

- ~~1. Before an ordinance may take effect, the legislative body of the town adopting an ordinance, except an ordinance enacted under Utah Code §§ 10.03.706 through 10.03.711, shall:
 - ~~a. Deposit a copy of the ordinance in the office of the town clerk; and
 - ~~1) Publish a short summary of the ordinances at least once:
 - ~~a) In a newspaper published within the town; or~~
 - ~~b) If there is no newspaper published within the town, In a newspaper of general circulation within the town; or~~~~
 - ~~2) Post a complete copy of the ordinance in three (3) public places within the town.~~~~~~
- ~~2. Any ordinance, code or book, other than the state code, relating to building or safety standards, municipal functions, administration, control or regulations, may be adopted and shall take effect without further publication or posting, if reference is made to the code or book and at least one copy has been filed for use and examination by the public in the office of the town clerk prior to the adoption of the ordinance by the governing body.~~

~~a. Any state law relating to building or safety standards, municipal functions, administration, control or regulations, may be adopted and shall take effect without further publication or posting if reference is made to the state code.~~

~~b. The ordinance adopting the code or book shall be published in the manner provided in this subsection.~~

~~E. Recording, Numbering And Certification of Passage: The town clerk shall record, in a book used exclusively for the purpose, all ordinances passed by the town council. The town clerk shall give each ordinance a number, if the town council has not already so done. Immediately following each ordinance, or codification of ordinances, the town clerk shall make or cause to be made a certificate stating the date of passage and of the date of publication or posting, as required. The record and memorandum, or a certified copy thereof, shall be prima facie evidence of the content, passage and publication or posting of the ordinances or codification.~~

~~F. Resolutions:~~

~~1. Purpose: Unless otherwise required by law, the town council may exercise all administrative powers by resolution, including, but not limited to:~~

~~a. establishing water and sewer rates;~~

~~b. charges for garbage collection and fees charged for town services;~~

~~c. establishing personnel policies and guidelines; and~~

~~d. regulating the use and operation of the town property. Punishment, fines or forfeitures may not be imposed by resolution.~~

~~2. Form: Any resolution passed by the town council shall be in a form and contain sections substantially similar to that prescribed for ordinances.~~

~~3. Publication; Effective Date: Resolutions may become effective without publication or posting and may take effect upon passage or at a later date as the town council may determine, but resolutions may not become effective more than three (3) months from the date of passage.~~

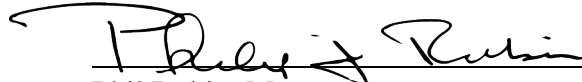
ii) 4.04.140 ANNUAL FEE LEVIED; SCHEDULE

~~There is imposed and levied a fee of fifty dollars (\$50.00) on the business, location, trade, calling or profession of every person engaged in a business within this municipality.~~

SECTION II: Effective Date. This Ordinance shall take effect upon publication.

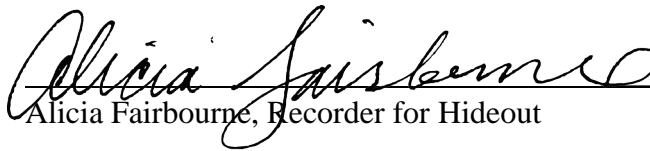
PASSED AND ADOPTED by the Town Council of Hideout, Utah, this 6th day of March in the year 2024.

TOWN OF HIDEOUT



Phil Rubin, Mayor

ATTEST:



Alicia Fairbourne, Recorder for Hideout

